

By: Van Arsdale

H.B. No. 187

A BILL TO BE ENTITLED

AN ACT

relating to the right of a resident of a municipal utility district to vote in a municipal election.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 43, Local Government Code, is amended by adding Section 43.077 to read as follows:

Sec. 43.077. EFFECT OF MUNICIPAL ANNEXATION ON VOTING RIGHTS. (a) This section applies only to a municipality with a population of 1.5 million or more.

(b) Following annexation of any part of a municipal utility district by a municipality, a registered voter of the district is entitled to vote in an election of the municipality if the person resides in either:

(1) the part of the district annexed by the municipality; or

(2) the part of the district that is unincorporated and is not within the extraterritorial jurisdiction of another municipality.

(c) A district resident who is entitled to vote under Subsection (b)(2) is treated as if the person were a resident of the municipality for purposes of a municipal election.

(d) If a member of the municipality's governing body is elected by only the voters residing in a territorial unit that does not include the entire municipality, the municipality shall

1 designate the territorial unit in which the part of the district  
2 described by Subsection (b)(2) will be included for purposes of  
3 that election.

4 (e) On or after the 15th day but before the fifth day before  
5 the date of the first election held in which the residents are  
6 entitled to vote under Subsection (b), the municipality shall  
7 publish notice in the form of a quarter-page advertisement in a  
8 newspaper of general circulation in the municipality notifying the  
9 residents that they are eligible to vote in the election and stating  
10 the location of all polling places for the residents.

11 (f) This section does not apply to an election to which  
12 Section 3a, Article VI, Texas Constitution, applies.

13 SECTION 2. A resident of a municipal utility district is  
14 entitled to vote as provided by Section 43.077, Local Government  
15 Code, as added by this Act, in a municipal election ordered after  
16 the effective date of this Act, regardless of when a part of the  
17 district was annexed.

18 SECTION 3. This Act takes effect September 1, 2005.