

By: Hartnett

H.B. No. 2751

A BILL TO BE ENTITLED

AN ACT

relating to fiscal impacts of municipal charter amendments.

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

SECTION 1. Section 9.004, Local Government Code, is amended by amending Subsection (c) to read as follows:

Sec. 9.004. CHARTER AMENDMENTS. (a) The governing body of a municipality on its own motion may submit a proposed charter amendment to the municipality's qualified voters for their approval at an election. The governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.

(b) The ordinance ordering the election shall provide for the election to be held on the first authorized uniform election date prescribed by the Election Code or on the earlier of the date of the next municipal general election or presidential general election. The election date must allow sufficient time to comply with other requirements of law and must occur on or after the 30th day after the date the ordinance is adopted.

(c) Notice of the election shall be published in a newspaper of general circulation published in the municipality. The notice must:

1           (1) include a substantial copy of the proposed  
2 amendment; and

3           (2) include an estimate of the anticipated fiscal  
4 impacts to the municipality upon passage of the proposed amendment;  
5 and

6           (3) be published on the same day in each of two  
7 successive weeks, with the first publication occurring before the  
8 14th day before the date of the election.

9           (d) An amendment may not contain more than one subject.

10          (e) The ballot shall be prepared so that a voter may approve  
11 or disapprove any one or more amendments without having to approve  
12 or disapprove all of the amendments.

13          SECTION 2. This Act takes effect September 1, 2005.