

## **BILL ANALYSIS**

C.S.H.B. 1648  
By: Leibowitz  
Elections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Larger counties are not allowed to hold a nonbinding referendum on the expenditure of public funds. Home rule municipalities in the State of Texas do have this authority. Additionally, the Local Government Code authorizes counties with populations of less than 40,000 to call a nonbinding referendum on any issue relating to building on County property. Allowing larger counties to hold a nonbinding referendum would allow a commissioners court to determine the will of their constituents before enacting local policy affecting the expenditure of public funds.

C.S.H.B. 1648 allows the commissioners court of a county to hold a nonbinding referendum on any question affecting a county fiscal matter except for labor agreements or for any county employee compensation. The election must be held on a uniform election date.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1648 amends the Local Government Code by allowing the commissioners court of a county to hold a nonbinding referendum on any question affecting a county fiscal matter except for labor agreements or for any county employee compensation. The referendum is required to be held in the same manner as an election on a county measure and must take place on an election date as authorized by the Election Code.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. 1648 adds language to the original bill that states that the referendum cannot involve labor agreements or any county employee compensation.