

By: Coleman, Alvarado

H.B. No. 3006

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain municipalities to impose term limits on the members of their governing bodies.

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

SECTION 1. Subchapter C, Chapter 26, Local Government Code, is amended by adding Section 26.048 to read as follows:

Sec. 26.048. TERM LIMITS IN POPULOUS MUNICIPALITIES.

(a) This section applies only to a municipality with a population of 1.8 million or more.

(b) In this section:

(1) "Governing body of a municipality" includes the mayor of the municipality.

(2) "Municipal term limit" means a provision in a municipal charter or ordinance that imposes a limit on the number of terms or otherwise restricts the length of service a member of the governing body of a municipality may serve on the governing body.

(c) The governing body of the municipality shall decide whether an election held under this section will authorize term limits for members of the governing body of the municipality consisting of a maximum of:

(1) three four-year terms; or

(2) six two-year terms.

(d) The mayor of a municipality shall order an election in the municipality on the first November uniform election date that

1 occurs in an even-numbered year after this section becomes
2 applicable to the municipality on the question of imposing term
3 limits on the members of the governing body of the municipality.

4 (e) The ballot at the election must be printed to permit
5 voting for or against the proposition: "Authorizing term limits
6 consisting of (insert number of terms and length of terms) on a
7 person's service on the governing body of the City of (insert name
8 of municipality)."

9 (f) If a majority of the votes received at the election
10 favor the proposition, the number and length of terms a person may
11 serve on the governing body is limited as provided in the
12 proposition. The municipality shall adjust the length of the terms
13 of the members of the governing body as necessary to comply with the
14 proposition.

15 (g) If less than a majority of the votes received at the
16 election favor the proposition, municipal term limits and the
17 length of the terms of the members of the governing body that
18 existed before the election are not affected.

19 (h) In applying a term limit authorized by this section:

20 (1) a term to which a member of the governing body was
21 elected or appointed before the election held under Subsection (d)
22 is counted only if the member served one-half or more of the term;
23 and

24 (2) a partial term to which a member of the governing
25 body is elected or appointed on or after the date of the election
26 held under Subsection (d) is counted only if the member serves
27 one-half or more of the term.

1 (i) This section expires January 1, 2011.

2 SECTION 2. This Act takes effect September 1, 2009.