1-1 By: Coleman, Alvarado (Senate Sponsor - Gallegos)   H.B. No. 3006
1-2   (In the Senate - Received from the House May 5, 2009;
1-3 May 6, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 23, 2009, reported adversely,
1-5 with favorable Committee Substitute by the following vote:
1-6 Yeas 5, Nays 0; May 23, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3006   By: Gallegos

1-8   A BILL TO BE ENTITLED
1-9   AN ACT

1-10 relating to the authority of certain municipalities to impose term
1-11 limits on municipal controllers and on the members of the
1-12 municipalities' governing bodies.
1-13   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14   SECTION 1. Subchapter C, Chapter 26, Local Government Code,
1-15 is amended by adding Section 26.048 to read as follows:
1-16   Sec. 26.048. TERM LIMITS IN POPULOUS MUNICIPALITIES.
1-17 (a) This section applies only to a municipality with a population
1-18 of 1.8 million or more.
1-19   (b) In this section:
1-20   (1) "Controller" means the elected chief financial
1-21 officer of a municipality.
1-22   (2) "Governing body of a municipality" includes the
1-23 mayor of the municipality.
1-24   (3) "Municipal term limit" means a provision in a
1-25 municipal charter or ordinance that imposes a limit on the number of
1-26 terms or otherwise restricts the length of service of an elected
1-27 official of a municipality.
1-28   (c) The governing body of the municipality shall decide
1-29 whether an election held under this section will authorize term
1-30 limits for the controller and members of the governing body of the
1-31 municipality consisting of a maximum of:
1-32   (1) four two-year terms.
1-33   (d) The mayor of a municipality shall order an election in
1-34 the municipality on the first November uniform election date that
1-35 occurs in an even-numbered year after this section becomes
1-36 applicable to the municipality on the question of imposing term
1-37 limits on the controller and members of the governing body of the
1-38 municipality.
1-39   (e) The ballot at the election must be printed to permit
1-40 voting for or against the proposition: "Authorizing term limits
1-41 consisting of (insert number of terms and length of terms) on a
1-42 person's service as the controller and on the governing body of the
1-43 City of (insert name of municipality)."
1-44   (f) If a majority of the votes received at the election
1-45 favor the proposition, the number and length of terms a person may
1-46 serve as the controller or on the governing body is limited as
1-47 provided in the proposition. The municipality shall adjust the
1-48 length of the terms of the controller and members of the governing
1-49 body as necessary to comply with the proposition.
1-50   (g) If less than a majority of the votes received at the
1-51 election favor the proposition, municipal term limits and the
1-52 length of the terms of the controller and members of the governing
1-53 body that existed before the election are not affected.
1-54   (h) In applying a term limit authorized by this section:
1-55   (1) a term to which a controller or member of the
1-56 governing body was elected or appointed before the election held
1-57 under Subsection (d) is counted only if the controller or member
1-58 served one-half or more of the term; and
1-59   (2) a partial term to which a controller or member of
1-60 the governing body is elected or appointed on or after the date of
1-61 the election held under Subsection (d) is counted only if the
1-62 controller or member serves one-half or more of the term.
1-63   (i) This section expires January 1, 2011.

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

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