

BILL ANALYSIS

C.S.H.B. 2144
By: Garza
Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In recent years, the Texas Legislature revised the Election Code to provide for uniform election dates. The legislators responsible for these reforms may not have taken into account the unique circumstances for newly incorporated municipalities, some of which may have to wait until the next general election date to elect an initial city council. This can leave a new city without local government for many months. C.S.H.B. 2144 seeks to address the unique election situation of newly incorporated municipalities by exempting the initial election of a newly incorporated city from uniform election date requirements and allowing a city to choose its general election date from among the available general election dates.

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. 2144 amends the Election Code to exempt the initial election of the members of the governing body of a newly incorporated city from the uniform election date requirement that each general or special election in Texas be held on either the second Saturday in May or the first Tuesday after the first Monday in November. The bill authorizes the governing body of a newly incorporated city, not later than the second anniversary of the date of incorporation, to change the date on which it holds its general election for officers to another authorized uniform election date. The bill adds a temporary provision, set to expire September 1, 2013, authorizing the governing body of a city that was newly incorporated between January 1, 2007, and September 1, 2011, not later than September 1, 2012, to change the date on which it holds its general election for officers to another authorized uniform election date.

C.S.H.B. 2144 amends the Local Government Code to require a newly incorporated municipality, not later than the first anniversary of the date of its incorporation, to select a uniform election date established under provisions of law to use for the general election of the members of the municipality's governing body.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2144 contains a temporary provision not included in the original authorizing the governing body of a city that was newly incorporated between January 1, 2007, and September 1, 2011, not later than September 1, 2012, to change the date on which it holds its general election for officers to another authorized uniform election date.