

By: Flynn

H.B. No. 1563

Substitute the following for H.B. No. 1563:

By: Geren

C.S.H.B. No. 1563

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the period of time between certain local option
3 elections to legalize or prohibit the sale of alcoholic beverages.

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

5 SECTION 1. Section 501.038, Election Code, is amended to
6 read as follows:

7 Sec. 501.038. FREQUENCY OF ELECTIONS. Except as provided
8 by Section 501.039, a [A] local option election on a particular
9 issue may not be held in a political subdivision until after the
10 first anniversary of the most recent local option election in that
11 political subdivision on that issue.

12 SECTION 2. Subchapter B, Chapter 501, Election Code, is
13 amended by adding Section 501.039 to read as follows:

14 Sec. 501.039. FREQUENCY OF ELECTIONS IN CERTAIN COUNTIES.

15 (a) This section applies only in a county with a population of at
16 least 52,000 but not more than 53,000.

17 (b) Except as provided by Subsection (c), a local option
18 election on a particular issue may not be held in the county or a
19 political subdivision in the county before the third anniversary of
20 the most recent local option election on that issue in the county or
21 that political subdivision, as applicable.

22 (c) A municipality may hold a local option election on a
23 particular issue after the first anniversary of the most recent
24 local option election on that issue in that municipality if the

1 municipality:

2 (1) permits the sale of one or more types or
3 classifications of alcoholic beverage in the municipality as a
4 result of a local option election held in the municipality; and

5 (2) after the local option election is held, annexes
6 territory in which the sale of one or more of those types or
7 classifications of alcoholic beverage is not legal.

8 (d) The municipality shall pay the expense of an election
9 under Subsection (c).

10 SECTION 3. The change in law made by this Act applies only
11 to a local option election for which a petition is filed on or after
12 the effective date of this Act. A local option election for which a
13 petition is filed before the effective date of this Act is governed
14 by the law in effect immediately before that date, and that law is
15 continued in effect for that purpose.

16 SECTION 4. This Act takes effect September 1, 2011.