

By: Flynn

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. A local option  
8 election on a particular issue may not be held in a political  
9 subdivision until after the third [~~first~~] anniversary of the most  
10 recent local option election in that political subdivision on that  
11 issue.

12 SECTION 2. Section 501.107, Election Code, is amended to  
13 read as follows:

14 Sec. 501.107. COUNTY PAYMENT OF ELECTION EXPENSES. The  
15 county shall pay the expense of holding a local option election  
16 authorized by this chapter in the county, justice precinct, or  
17 municipality in that county except that:

18 (1) if an election is to be held only within the  
19 corporate limits of a municipality located wholly within the  
20 county, the county may require the municipality to reimburse the  
21 county for all or part of the expenses of holding the local option  
22 election;

23 (2) county payment of the expense of an election to  
24 legalize the sale of alcoholic beverages is limited to the holding

1 of one election in a political subdivision during a three-year  
2 [~~one-year~~] period; and

3 (3) county payment of the expense of an election to  
4 prohibit the sale of alcoholic beverages is limited to the holding  
5 of one election in a political subdivision during a three-year  
6 [~~one-year~~] period.

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

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