

AN ACT

relating to the use of uniform election dates by newly incorporated municipalities.

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

SECTION 1. Section 41.001(b), Election Code, is amended to read as follows:

(b) Subsection (a) does not apply to:

- (1) a runoff election;
- (2) an election to resolve a tie vote;
- (3) an election held under an order of a court or other tribunal;
- (4) an emergency election ordered under Section 41.0011;
- (5) an expedited election to fill a vacancy in the legislature held under Section 203.013; ~~or~~
- (6) an election held under a statute that expressly provides that the requirement of Subsection (a) does not apply to the election; or
- (7) the initial election of the members of the governing body of a newly incorporated city.

SECTION 2. Section 41.0052, Election Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) The governing body of a newly incorporated city may, not later than the second anniversary of the date of incorporation,

1 change the date on which it holds its general election for officers
2 to another authorized uniform election date.

3 (d) Not later than September 1, 2012, the governing body of
4 a city that was newly incorporated between January 1, 2007, and
5 September 1, 2011, may change the date on which it holds its general
6 election for officers to another authorized uniform election date.
7 This subsection expires September 1, 2013.

8 SECTION 3. Subchapter A, Chapter 21, Local Government Code,
9 is amended by adding Section 21.005 to read as follows:

10 Sec. 21.005. CHOICE OF UNIFORM ELECTION DATE FOR NEWLY
11 INCORPORATED MUNICIPALITY. Not later than the first anniversary of
12 the date of its incorporation, a newly incorporated municipality
13 shall select a uniform election date under Section 41.001, Election
14 Code, to use for the general election of the members of the
15 municipality's governing body.

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

H.B. No. 2144

President of the Senate

Speaker of the House

I certify that H.B. No. 2144 was passed by the House on April 26, 2011, by the following vote: Yeas 147, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2144 was passed by the Senate on May 17, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor