

By: Garza

H.B. No. 2144

A BILL TO BE ENTITLED

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 Subsection (c) 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         SECTION 3. Subchapter A, Chapter 21, Local Government Code,  
4 is amended by adding Section 21.005 to read as follows:

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

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