

1-1 By: Garza (Senate Sponsor - Uresti) H.B. No. 2144  
1-2 (In the Senate - Received from the House April 27, 2011;  
1-3 May 3, 2011, read first time and referred to Committee on State  
1-4 Affairs; May 9, 2011, reported favorably by the following vote:  
1-5 Yeas 9, Nays 0; May 9, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the use of uniform election dates by newly incorporated  
1-9 municipalities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 41.001(b), Election Code, is amended to  
1-12 read as follows:

1-13 (b) Subsection (a) does not apply to:

1-14 (1) a runoff election;

1-15 (2) an election to resolve a tie vote;

1-16 (3) an election held under an order of a court or other  
1-17 tribunal;

1-18 (4) an emergency election ordered under Section  
1-19 41.0011;

1-20 (5) an expedited election to fill a vacancy in the  
1-21 legislature held under Section 203.013; ~~[or]~~

1-22 (6) an election held under a statute that expressly  
1-23 provides that the requirement of Subsection (a) does not apply to  
1-24 the election; or

1-25 (7) the initial election of the members of the  
1-26 governing body of a newly incorporated city.

1-27 SECTION 2. Section 41.0052, Election Code, is amended by  
1-28 adding Subsections (c) and (d) to read as follows:

1-29 (c) The governing body of a newly incorporated city may, not  
1-30 later than the second anniversary of the date of incorporation,  
1-31 change the date on which it holds its general election for officers  
1-32 to another authorized uniform election date.

1-33 (d) Not later than September 1, 2012, the governing body of  
1-34 a city that was newly incorporated between January 1, 2007, and  
1-35 September 1, 2011, may change the date on which it holds its general  
1-36 election for officers to another authorized uniform election date.  
1-37 This subsection expires September 1, 2013.

1-38 SECTION 3. Subchapter A, Chapter 21, Local Government Code,  
1-39 is amended by adding Section 21.005 to read as follows:

1-40 Sec. 21.005. CHOICE OF UNIFORM ELECTION DATE FOR NEWLY  
1-41 INCORPORATED MUNICIPALITY. Not later than the first anniversary of  
1-42 the date of its incorporation, a newly incorporated municipality  
1-43 shall select a uniform election date under Section 41.001, Election  
1-44 Code, to use for the general election of the members of the  
1-45 municipality's governing body.

1-46 SECTION 4. This Act takes effect September 1, 2011.

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