

By: Munoz, Jr.

H.J.R. No. 120

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing a home-rule  
2 municipality to provide in its charter the procedure to fill a  
3 vacancy on its governing body for which the unexpired term is 24  
4 months or less.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 11, Article XI, Texas Constitution, is  
7 amended by amending Subsection (b) and adding Subsection (c) to  
8 read as follows:

9 (b) A municipality so providing a term exceeding two (2)  
10 years but not exceeding four (4) years for any of its non-civil  
11 service officers must elect all of the members of its governing body  
12 by majority vote of the qualified voters in such municipality. ~~[~~  
13 ~~and any]~~

14 (c) Any vacancy or vacancies occurring on such governing  
15 body shall not be filled by appointment but must be filled by  
16 majority vote of the qualified voters at a special election called  
17 for such purpose within one hundred and twenty (120) days after such  
18 vacancy or vacancies occur except that the municipality may provide  
19 by charter or charter amendment the procedure for filling a vacancy  
20 occurring on its governing body for an unexpired term of 24 months  
21 or less.

22 SECTION 2. This proposed constitutional amendment shall be  
23 submitted to the voters at an election to be held November 8, 2011.  
24 The ballot shall be printed to provide for voting for or against the

1 proposition: "The constitutional amendment authorizing a  
2 home-rule municipality to provide in its charter the procedure to  
3 fill a vacancy on its governing body for which the unexpired term is  
4 24 months or less."