

AN ACT

relating to the validation of a home-rule charter for certain municipalities.

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

SECTION 1. (a) The home-rule charter of a general-law municipality that by an election adopted a home-rule charter after June 1, 2009, and before December 31, 2009, is validated as of the date of the election.

(b) This section does not apply to:

(1) the adoption of a home-rule charter or the attempted adoption of a home-rule charter that, under a statute of this state, was a misdemeanor or felony at the time the act or proceeding occurred;

(2) the adoption of a home-rule charter by a municipality that was incorporated or attempted to incorporate within the incorporated boundaries or extraterritorial jurisdiction of another municipality that occurred without the consent of the other municipality in violation of Chapter 42 or 43, Local Government Code;

(3) an action that was premised on an ordinance that, at the time it was passed, was preempted by a statute of this state or the United States, including Section 1.06 or 109.57, Alcoholic Beverage Code; or

(4) a matter that on the effective date of this

1 section:

2 (A) is involved in litigation if the litigation
3 ultimately results in the matter being held invalid by a final
4 judgment of a court; or

5 (B) has been held invalid by a final judgment of a
6 court.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 509 passed the Senate on March 17, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 509 passed the House on May 13, 2011, by the following vote: Yeas 138, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor