

1-1 By: Lucio S.B. No. 509
1-2 (In the Senate - Filed February 2, 2011; February 17, 2011,
1-3 read first time and referred to Committee on International
1-4 Relations and Trade; March 7, 2011, reported favorably by the
1-5 following vote: Yeas 5, Nays 0; March 7, 2011, sent to printer.)

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

1-8 relating to the validation of a home-rule charter for certain
1-9 municipalities.

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

1-11 SECTION 1. (a) The home-rule charter of a general-law
1-12 municipality that by an election adopted a home-rule charter after
1-13 June 1, 2009, and before December 31, 2009, is validated as of the
1-14 date of the election.

1-15 (b) This section does not apply to:

1-16 (1) the adoption of a home-rule charter or the
1-17 attempted adoption of a home-rule charter that, under a statute of
1-18 this state, was a misdemeanor or felony at the time the act or
1-19 proceeding occurred;

1-20 (2) the adoption of a home-rule charter by a
1-21 municipality that was incorporated or attempted to incorporate
1-22 within the incorporated boundaries or extraterritorial
1-23 jurisdiction of another municipality that occurred without the
1-24 consent of the other municipality in violation of Chapter 42 or 43,
1-25 Local Government Code;

1-26 (3) an action that was premised on an ordinance that,
1-27 at the time it was passed, was preempted by a statute of this state
1-28 or the United States, including Section 1.06 or 109.57, Alcoholic
1-29 Beverage Code; or

1-30 (4) a matter that on the effective date of this
1-31 section:

1-32 (A) is involved in litigation if the litigation
1-33 ultimately results in the matter being held invalid by a final
1-34 judgment of a court; or

1-35 (B) has been held invalid by a final judgment of a
1-36 court.

1-37 SECTION 2. This Act takes effect immediately if it receives
1-38 a vote of two-thirds of all the members elected to each house, as
1-39 provided by Section 39, Article III, Texas Constitution. If this
1-40 Act does not receive the vote necessary for immediate effect, this
1-41 Act takes effect September 1, 2011.

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