

By: Hinojosa

S.J.R. No. 41

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."