

**BILL ANALYSIS**

C.S.H.B. 3015  
By: Moody  
Urban Affairs  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Interested parties note that certain municipalities are not currently provided with a direct mechanism for removing elected officials, except through a lawsuit. The parties contend that such lawsuits are an inadequate remedy because they are too costly and typically cannot be resolved before the term of the elected official expires. The goal of C.S.H.B. 3015 is to set out provisions relating to a recall election for officials of certain general-law municipalities.

**RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

**ANALYSIS**

C.S.H.B. 3015 amends the Local Government Code to authorize the removal from office of a member of the governing body of a general-law municipality with a population of less than 5,000 located in a county that borders the United Mexican States and has a population of more than 800,000 through a recall election initiated by petition. The bill sets out provisions and procedures relating to the petition, the review of the petition, and the recall election.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3015 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

**INTRODUCED**

**HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Chapter 21, Local Government Code, is amended by adding Subchapter C to read as follows:  
SUBCHAPTER C. REMOVAL OF MEMBER OF GOVERNING BODY OF GENERAL-LAW MUNICIPALITY FOLLOWING ELECTION

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SUBCHAPTER C. REMOVAL OF MEMBER OF GOVERNING BODY OF CERTAIN GENERAL-LAW MUNICIPALITIES FOLLOWING ELECTION

Sec. 21.101. REMOVAL BY RECALL ELECTION AUTHORIZED. A member of

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the governing body of a general-law municipality may be removed from office through a recall election initiated by petition as provided by this subchapter.

Sec. 21.102. PETITION.

Sec. 21.103. REVIEW OF PETITION.

Sec. 21.104. ELECTION.

Sec. 21.105. CLERK.

SECTION 2. The heading to Subchapter B, Chapter 21, Local Government Code, is amended to read as follows:

SUBCHAPTER B. JUDICIAL  
REMOVAL OF MEMBER OF  
GOVERNING BODY OF GENERAL-  
LAW MUNICIPALITY

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

the governing body of a general-law municipality with a population of less than 5,000 located in a county that borders the United Mexican States and has a population of more than 800,000 may be removed from office through a recall election initiated by petition as provided by this subchapter.

Sec. 21.102. PETITION.

Sec. 21.103. REVIEW OF PETITION.

Sec. 21.104. ELECTION.

Sec. 21.105. CLERK.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.