

BILL ANALYSIS

H.B. 3794
By: Coleman
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties have raised concerns regarding term limits for members of the governing body of certain municipalities and contend that certain municipalities should have the authority to impose term limits on the members of their governing bodies. H.B. 3794 seeks to address this concern by amending the applicable law relating to term limits in certain populous 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

H.B. 3794 amends the Local Government Code to add temporary provisions, set to expire January 1, 2015, to require the governing body of a municipality with a population of 1.8 million or more to decide whether an election to impose municipal term limits will authorize term limits for members of the governing body of the municipality consisting of a maximum of three four-year terms or six two-year terms. The bill requires the presiding officer of the municipality to order an election in the municipality on the first uniform election date in November that occurs in an even-numbered year after the bill's effective date on the question of imposing term limits on the members of the governing body of the municipality and establishes the required content of the printed ballot. The bill requires the municipality to adjust the length of the terms of the members of the governing body as necessary to comply with the ballot proposition if a majority of the votes received at the election favor the proposition, and establishes that municipal term limits and the length of terms that existed before the election are not affected if less than a majority of the votes received favor the proposition. The bill specifies that in applying a term limit, a term to which a member of the governing body was elected or appointed before the election is counted only if the member served one-half or more of the term and that a partial term to which a member of the governing body is elected or appointed on or after the election date is counted only if the member serves one-half or more of the term.

EFFECTIVE DATE

September 1, 2013.