

By: Laubenberg, Leach, Shaheen,
Turner of Collin

H.B. No. 2762

Substitute the following for H.B. No. 2762:

By: Schofield

C.S.H.B. No. 2762

A BILL TO BE ENTITLED

AN ACT

relating to certain petitions prescribed by law outside the
Election Code.

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

SECTION 1. Section 277.004, Election Code, is amended to
read as follows:

Sec. 277.004. EFFECT OF CITY CHARTER OR ORDINANCE. Except
for the requirements under Sections 51.080 and 51.081, Local
Government Code, any [Any] requirements for the validity or
verification of petition signatures in addition to those prescribed
by this chapter that are prescribed by a home-rule city charter
provision or a city ordinance are effective only if the charter
provision or ordinance was in effect September 1, 1985.

SECTION 2. Subchapter E, Chapter 51, Local Government Code,
is amended by adding Sections 51.080 and 51.081 to read as follows:

Sec. 51.080. TIME TO FILE PETITION. (a) A petition
regarding the repeal of an order, ordinance, or resolution must be
filed not later than the 90th day after the later of the date on
which the order, ordinance, or resolution:

(1) finally passed; or

(2) was published.

(b) If the secretary of the municipality or other authority
responsible for verifying the signatures determines the petition
contains an insufficient number of valid signatures, the secretary

1 or other authority shall state all the grounds for invalidating a
2 signature.

3 (c) If a petition is invalidated and later refiled, the
4 secretary of the municipality or other authority responsible for
5 verifying the signatures may not invalidate a subsequent petition
6 on grounds that existed but were not raised during the initial
7 determination of the petition's validity.

8 (d) This section does not apply to a change in a provision of
9 the municipal charter.

10 Sec. 51.081. CONTENT OF PETITION. (a) A municipality must
11 make available on the official website, if any, of the municipality
12 a petition form that complies with state law and the municipality's
13 ordinances, orders, and other resolutions that apply to the filing
14 of a petition with the municipality.

15 (b) The secretary of the municipality or other authority
16 responsible for verifying the signatures may not invalidate a
17 petition because the petition did not contain information that the
18 municipality's petition form under Subsection (a) failed to provide
19 or to require to be provided.

20 SECTION 3. The changes in law made by this Act apply only to
21 a petition filed on or after the effective date of this Act. A
22 petition filed before the effective date of this Act is governed by
23 the law in effect when the petition was filed, and the former law is
24 continued in effect for that purpose.

25 SECTION 4. This Act takes effect September 1, 2015.