

By: Laubenberg

H.B. No. 2762

A BILL TO BE ENTITLED

AN ACT

relating to petitions prescribed by law outside of code.

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

SECTION 1. Chapter 277, Title 16, Elections Code, is amended to read as follows:

Sec. 277.004. ~~EFFECT OF CITY CHARTER OR ORDINANCE. 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.~~ TIME TO FILE PETITION. (a) A petition

under this chapter must be filed within the later of (1) ninety (90) days after final passage of said order, ordinance, or resolution, or (2) ninety (90) days after its publication.

(b) If the city secretary or other authority responsible for verifying the signatures determines the petition contains an insufficient number of signatures, he must state all the specific grounds invalidating any signature.

(c) If a petition is invalidated and subsequently refiled, the city secretary or other authority responsible for verifying the signatures may not invalidate a subsequent petition on grounds that existed but were not raised during an earlier determination of validity of the petition.

Sec. 277.005. CONTENTS OF PETITION. (a) A political

1 subdivision must make available on its website a petition form that
2 complies with state law and the political subdivision's ordinances,
3 orders and other resolutions concerning petitions.

4 (b) The city secretary or other authority responsible for
5 verifying the signatures may not invalidate a petition because it
6 failed to contain information that the political subdivision's
7 petition form provided pursuant to this section itself fails to
8 require.

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2015.