

By: Fallon

H.B. No. 245

A BILL TO BE ENTITLED

AN ACT

relating to the authority of general-law municipalities to impose term limits on the members of their governing bodies.

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

SECTION 1. Subchapter A, Chapter 21, Local Government Code, is amended by adding Section 21.006 to read as follows:

Sec. 21.006. TERM LIMITS FOR GOVERNING BODY OF GENERAL-LAW MUNICIPALITY. (a) In this section:

(1) "Governing body of a municipality" includes the presiding officer of the municipality's governing body.

(2) "Municipal term limit" means a limit on the number of terms of service a member of the governing body of a municipality may serve on the governing body.

(b) The governing body of a general-law municipality may order an election to impose, amend, or repeal municipal term limits.

(c) The ballot at an election for imposing municipal term limits must be printed to permit voting for or against the proposition: "Imposing term limits consisting of (insert number of terms and length of terms) on a person's service on the governing body of (insert name of municipality)." If a majority of the votes received at the election favor the proposition, the number of terms a person may serve on the governing body is limited as provided in the proposition.

1 (d) The ballot at an election for amending municipal term
2 limits must be printed to permit voting for or against the
3 proposition: "Amending municipal term limits to (insert "increase"
4 or "decrease") the number of terms a person may serve on the
5 governing body of (insert name of municipality) by providing for
6 term limits consisting of (insert number of terms and length of
7 terms) on the person's service on the governing body." If a
8 majority of the votes received at the election favor the
9 proposition, the number of terms a person may serve on the governing
10 body is limited as amended.

11 (e) The ballot at an election for repealing municipal term
12 limits must be printed to permit voting for or against the
13 proposition: "Repealing term limits for a person's service on the
14 governing body of (insert name of municipality)." If a majority of
15 the votes received at the election favor the proposition, the
16 municipal term limits are repealed.

17 (f) If less than a majority of the votes received at an
18 election under Subsection (d) or (e) favor the applicable
19 proposition, municipal term limits that existed before the election
20 are not affected.

21 (g) A municipal term limit imposed or amended by an election
22 held under this section does not apply to a term that a member of the
23 governing body is serving or was elected or appointed to serve on or
24 before the date the election was held.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect December 1, 2017.