

By: Shaheen, Israel, Swanson

H.B. No. 907

Substitute the following for H.B. No. 907:

By: Israel

C.S.H.B. No. 907

A BILL TO BE ENTITLED

AN ACT

relating to the content and process for certain petitions.

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

SECTION 1. Chapter 277, Election Code, is amended by adding Section 277.005 to read as follows:

Sec. 277.005. PETITION FORM. (a) The secretary of state shall prescribe the form, content, and procedure for a petition.

(b) An authority may only accept a petition that follows the official form prescribed under Subsection (a).

SECTION 2. Subchapter E, Chapter 51, Local Government Code, is amended by adding Sections 51.080, 51.081, 51.082, and 51.083 to read as follows:

Sec. 51.080. TIME TO FILE PETITION. 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.

Sec. 51.081. TIME TO REVIEW PETITION. The secretary of the municipality or other authority responsible for verifying a petition regarding the repeal of an order, ordinance, or resolution must review the petition not later than the 30th day after the date of the receipt of the petition.

Sec. 51.082. OPPORTUNITY TO CURE PETITION. (a) If the

1 secretary of the municipality or other authority responsible for
2 verifying a petition regarding the repeal of an order, ordinance,
3 or resolution determines the petition is invalid, the secretary or
4 other authority shall return the petition to one of the petition's
5 proponents with the written reasons for rejection.

6 (b) If the petition's proponents seek to remedy the
7 petition, the petition's proponents shall return the petition to
8 the secretary or other authority not later than the 30th day after
9 the date of the receipt of the rejected petition.

10 Sec. 51.083. CONTENT OF PETITION. A municipality must make
11 available on the official website, if any, of the municipality a
12 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 SECTION 3. Section [277.004](#), Election Code, is repealed.

16 SECTION 4. Not later than January 1, 2018, the secretary of
17 state shall adopt a petition form as required by this Act.

18 SECTION 5. The changes in law made by this Act apply only to
19 a petition submitted on or after January 1, 2018.

20 SECTION 6. This Act takes effect September 1, 2017.