

By: Fallon

H.B. No. 3545

A BILL TO BE ENTITLED

AN ACT

relating to holding elections on uniform election dates.

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

SECTION 1. Section 11.0581(a), Education Code, is amended to read as follows:

(a) An election for trustees of an independent school district shall be held on a uniform election date ~~[the same date as:~~

~~[(1) the election for the members of the governing body of a municipality located in the school district;~~

~~[(2) the general election for state and county officers;~~

~~[(3) the election for the members of the governing body of a hospital district, if the school district:~~

~~[(A) is wholly or partly located in a county with a population of less than 40,000 that is adjacent to a county with a population of more than three million; and~~

~~[(B) held its election for trustees jointly with the election for the members of the governing body of the hospital district before May 2007; or~~

~~[(4) the election for the members of the governing board of a public junior college district in which the school district is wholly or partly located].~~

SECTION 2. Section 41.253(b), Education Code, is amended to read as follows:

(b) The transitional board of trustees shall divide the consolidated district into nine single-member trustee districts in accordance with the procedures provided by Section 11.052. The transitional board shall order an election for the initial board of trustees to be held on the first ~~May~~ uniform election date after the effective date of a consolidation order.

SECTION 3. Sections 41.001(a), (b), and (c), Election Code, are amended to read as follows:

(a) Except as otherwise provided by this subchapter, each general or special election in this state shall be held on one of the following dates:

(1) the first Tuesday in March ~~[Saturday in May in an odd-numbered year,~~

~~[(2) the first Saturday in May]~~ in an even-numbered year ~~[, for an election held by a political subdivision other than a county]; or~~

(2) ~~[(3)]~~ the first Tuesday after the first Monday in November.

(b) Subsection (a) does not apply to:

(1) a runoff election;

(2) an election to resolve a tie vote;

(3) an election held under an order of a court or other tribunal;

(4) an emergency election ordered under Section 41.0011;

(5) an expedited election to fill a vacancy in the legislature held under Section 203.013;

1 (6) a special ~~[an]~~ election held under Chapter 203 or
2 204 ~~[a statute that expressly provides that the requirement of~~
3 ~~Subsection (a) does not apply to the election]~~; or

4 (7) the initial election of the members of the
5 governing body of a newly incorporated city.

6 (c) Except for an election under Subsection (a) or Section
7 41.0011 ~~[or a runoff election following an election held under~~
8 ~~Subsection (a)(2)]~~, an election may not be held within 30 days
9 before or after the date of the general election for state and
10 county officers, general primary election, or runoff primary
11 election.

12 SECTION 4. Subchapter A, Chapter 41, Election Code, is
13 amended by adding Section 41.0051 to read as follows:

14 Sec. 41.0051. ELECTION TO ISSUE BONDS. Notwithstanding any
15 other law, an election for the issuance of bonds by a political
16 subdivision shall be held on a uniform election date.

17 SECTION 5. Section 41.0052(a), Election Code, is amended to
18 read as follows:

19 (a) The governing body of a political subdivision~~[, other~~
20 ~~than a county or municipal utility district,~~] that holds its
21 general election for officers on a date other than the November
22 uniform election date shall ~~[may]~~, not later than December 31, 2017
23 ~~[2016]~~, change the date on which it holds its general election for
24 officers to the November uniform election date.

25 SECTION 6. Section 43.007(a), Election Code, is amended to
26 read as follows:

27 (a) The secretary of state shall implement a program to

1 allow each commissioners court participating in the program to
2 eliminate county election precinct polling places and establish
3 countywide polling places for:

4 (1) each general election for state and county
5 officers;

6 (2) ~~[each election held on the uniform election date~~
7 ~~in May]~~

8 ~~[(3)]~~ each election on a proposed constitutional
9 amendment;

10 (3) ~~[(4)]~~ each primary election and runoff primary
11 election if:

12 (A) the county chair or county executive
13 committee of each political party participating in a joint primary
14 election under Section 172.126 agrees to the use of countywide
15 polling places; or

16 (B) the county chair or county executive
17 committee of each political party required to nominate candidates
18 by primary election agrees to use the same countywide polling
19 places; and

20 (4) ~~[(5)]~~ each election of a political subdivision
21 located in the county that is held jointly with an election
22 described by Subdivision (1), (2), or (3) ~~[or (4)]~~.

23 SECTION 7. Section 67.003(a), Election Code, is amended to
24 read as follows:

25 (a) Except as provided by Subsection ~~[(b) or]~~ (c), each
26 local canvassing authority shall convene to conduct the local
27 canvass at the time set by the canvassing authority's presiding

1 officer not earlier than the eighth day or later than the 11th day
2 after election day.

3 SECTION 8. Section 49.103(b), Water Code, is amended to
4 read as follows:

5 (b) After confirmation of a district, an election shall be
6 held on the uniform election date, provided by Section 41.001,
7 Election Code, [~~in May of each even-numbered year~~] to elect the
8 appropriate number of directors.

9 SECTION 9. Section 56.804(a), Water Code, is amended to
10 read as follows:

11 (a) The election shall be held on a uniform election day [~~in~~
12 ~~May~~].

13 SECTION 10. Sections 41.001(d), 41.0052(e), 41.007(d),
14 42.002(c), 67.003(b), and 85.001(e), Election Code, are repealed.

15 SECTION 11. This Act applies only to an election ordered on
16 or after the effective date of this Act. An election ordered before
17 the effective date of this Act is governed by the law as it existed
18 immediately before the effective date of this Act, and that law is
19 continued in effect for that purpose.

20 SECTION 12. This Act takes effect September 1, 2017.