

By: Bettencourt

S.B. No. 2046

A BILL TO BE ENTITLED

AN ACT

relating to voting by the qualified voters of a water or sewer district wholly or partly annexed by a municipality.

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

SECTION 1. Section 43.071, Local Government Code, is amended by adding Subsection (h) to read as follows:

(h) A qualified voter of a water or sewer district, any portion of which a municipality has annexed for full or limited purposes, is entitled to vote in municipal elections regarding the election or recall of members of the governing body of the municipality, the election or recall of the controller, if the office of controller is an elective position of the municipality, and the amendment of the municipal charter, regardless of whether the municipality has annexed the entire district or whether the voter resides in an annexed portion of the district. To the extent of a conflict between this subsection and another provision of this code or the Water Code, this subsection controls. This subsection does not apply to:

(1) an area in the water or sewer district that is outside of the annexing municipality's extraterritorial jurisdiction; or

(2) an area in the water or sewer district that is in the overlapping extraterritorial jurisdiction of two or more municipalities.

1           SECTION 2. The change in law made by this Act applies to a  
2 municipal election ordered on or after the effective date of this  
3 Act. A municipal election ordered before the effective date of this  
4 Act is governed by the law in effect when the election was ordered,  
5 and the former law is continued in effect for that purpose.

6           SECTION 3. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2017.