By:  Fallon S.B. No. 452

(In the Senate - Filed January 24, 2019; February 14, 2019, read first time and referred to Committee on Intergovernmental Relations; April 1, 2019, reported favorably by the following vote: Yeas 7, Nays 0; April 1, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Lucio                X

Schwertner           X

Alvarado             X

Campbell             X

Fallon               X

Menéndez             X

Nichols              X

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" includes the presiding officer of the 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.

(d)  The ballot at an election for amending municipal term limits must be printed to permit voting for or against the proposition: "Amending term limits to (insert "increase" or "decrease") the number of terms a person may serve on the governing body of (insert name of municipality) by providing for term limits consisting of (insert number of terms and length of terms) on the person's service on the governing body." 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 amended.

(e)  The ballot at an election for repealing municipal term limits must be printed to permit voting for or against the proposition: "Repealing term limits for 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 municipal term limits are repealed.

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

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

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

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