

By: Toth

H.B. No. 3667

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 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 November ~~May~~ uniform election date after the effective date of a consolidation order.

SECTION 2. Sections 41.001(a) and (b), 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 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~~

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

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

- 1 (1) a runoff election;
- 2 (2) an election to resolve a tie vote;
- 3 (3) an election held under an order of a court or other
- 4 tribunal;
- 5 (4) an emergency election ordered under Section
- 6 41.0011;
- 7 (5) an expedited election to fill a vacancy in the
- 8 legislature held under Section 203.013;
- 9 ~~[(6) an election held under a statute that expressly~~
- 10 ~~provides that the requirement of Subsection (a) does not apply to~~
- 11 ~~the election,]~~ or
- 12 (6) ~~[(7)]~~ the initial election of the members of the
- 13 governing body of a newly incorporated city.

14 SECTION 3. Subchapter A, Chapter 41, Election Code, is

15 amended by adding Section 41.0051 to read as follows:

16 Sec. 41.0051. ELECTION TO ISSUE BONDS. Notwithstanding any

17 other law, an election for the issuance of bonds by a political

18 subdivision shall be held on the uniform election.

19 SECTION 4. Section 41.0052(a), Election Code, is amended to

20 read as follows:

21 (a) The governing body of a political subdivision~~[, other~~

22 ~~than a county or municipal utility district,~~] that holds its

23 general election for officers on a date other than the November

24 uniform election date shall ~~[may]~~, not later than December 31, 2019

25 ~~[2016]~~, change the date on which it holds its general election for

26 officers to the November uniform election date in a manner that does

27 not cause an officer's term to exceed any applicable

constitutional limits.

SECTION 5. Section 43.007(a), Election Code, is amended to read as follows:

(a) The secretary of state shall implement a program to allow each commissioners court participating in the program to eliminate county election precinct polling places and establish countywide polling places for:

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

~~(2) [each election held on the uniform election date in May and any resulting runoff];~~

~~(3)~~ each election on a proposed constitutional amendment;

(3) ~~(4)~~ each primary election and runoff primary election if:

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

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

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

SECTION 6. Section 49.103(b), Water Code, is amended to

1 read as follows:

2 (b) Unless a district holds its general election for
3 officers on a date as otherwise provided by statute, after
4 confirmation of a district, an election shall be held on the uniform
5 election date, provided by Section 41.001, Election Code, [~~in May~~
6 ~~of each even-numbered year~~] to elect the appropriate number of
7 directors.

8 SECTION 7. Section 56.804(a), Water Code, is amended to
9 read as follows:

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

12 SECTION 8. The following laws are repealed:

13 (1) Section 11.0581, Education Code; and

14 (2) Sections 41.001(c) and (d), 41.0052(e),
15 41.007(d), 42.002(c), 67.003(b), and 85.001(e), Election Code.

16 SECTION 9. This Act applies only to an election ordered on
17 or after the effective date of this Act. An election ordered before
18 the effective date of this Act is governed by the law as it existed
19 immediately before the effective date of this Act, and that law is
20 continued in effect for that purpose.

21 SECTION 10. This Act takes effect September 1, 2019.