

By: Fallon

S.B. No. 452

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.

1 (d) The ballot at an election for amending municipal term
2 limits must be printed to permit voting for or against the
3 proposition: "Amending term limits to (insert "increase" or
4 "decrease") the number of terms a person may serve on the governing
5 body of (insert name of municipality) by providing for term limits
6 consisting of (insert number of terms and length of terms) on the
7 person's service on the governing body." If a majority of the votes
8 received at the election favor the proposition, the number of terms
9 a person may serve on the governing body is limited as amended.

10 (e) The ballot at an election for repealing municipal term
11 limits must be printed to permit voting for or against the
12 proposition: "Repealing term limits for a person's service on the
13 governing body of (insert name of municipality)." If a majority of
14 the votes received at the election favor the proposition, the
15 municipal term limits are repealed.

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

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

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

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1 Act takes effect September 1, 2019.