

By: Fallon

S.B. No. 954

A BILL TO BE ENTITLED

AN ACT

relating to jointly 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 the 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 41.012, Education Code, is amended to

1 read as follows:

2 Sec. 41.012. DATE OF ELECTIONS. An election under this
3 chapter for voter approval of an agreement entered by the board of
4 trustees shall be held on the uniform election date [~~a Tuesday or~~
5 ~~Saturday not more than 45 days after the date of the agreement.~~
6 ~~Section 41.001, Election Code, does not apply to the election~~].

7 SECTION 3. Section 41.253(b), Education Code, is amended to
8 read as follows:

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

15 SECTION 4. Sections 41.001(a), (b), and (c), Election Code,
16 are amended to read as follows:

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

20 [~~(1)~~] the first [~~Saturday in May in an odd-numbered~~
21 ~~year,~~

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

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

27 (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) a special [~~an~~] election held under Chapter 203 or
10 204 [~~a statute that expressly provides that the requirement of~~
11 ~~Subsection (a) does not apply to the election~~]; or
- 12 (7) the initial election of the members of the
13 governing body of a newly incorporated city.

14 (c) Except for an election under Subsection (a) or Section
15 [41.0011](#) [~~or a runoff election following an election held under~~
16 ~~Subsection (a)(2)~~], an election may not be held within 30 days
17 before or after the date of the general election for state and
18 county officers, general primary election, or runoff primary
19 election.

20 SECTION 5. Subchapter A, Chapter [41](#), Election Code, is
21 amended by adding Section 41.0051 to read as follows:

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

25 SECTION 6. Section [41.0052](#)(a), Election Code, is amended to
26 read as follows:

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

1 ~~than a county or municipal utility district,~~] that holds its
2 general election for officers on a date other than the November
3 uniform election date shall ~~[may]~~, not later than December 31, 2019
4 ~~[2016]~~, change the date on which it holds its general election for
5 officers to the November uniform election date.

6 SECTION 7. Section 43.007(a), Election Code, is amended to
7 read as follows:

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

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

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

16 ~~[(3)]~~ each election on a proposed constitutional
17 amendment;

18 (3) ~~[(4)]~~ each primary election and runoff primary
19 election if:

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

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

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

4 SECTION 8. The heading to Section 271.002, Election Code,
5 is amended to read as follows:

6 Sec. 271.002. JOINT ELECTIONS REQUIRED [~~AUTHORIZED~~].

7 SECTION 9. Sections 271.002(a), (b), and (c), Election
8 Code, are amended to read as follows:

9 (a) If the elections ordered by the authorities of two or
10 more political subdivisions are to be held on the same day in all or
11 part of the same county, the governing bodies of the political
12 subdivisions shall [~~may~~] enter into an agreement to hold the
13 elections jointly in the election precincts that can be served by
14 common polling places, subject to Section 271.003.

15 (b) If an election ordered by the governor and the elections
16 ordered by the authorities of one or more political subdivisions
17 are to be held on the same day in all or part of the same county, the
18 commissioners court of a county in which the election ordered by the
19 governor is to be held and the governing bodies of the other
20 political subdivisions shall [~~may~~] enter into an agreement to hold
21 the elections jointly in the election precincts that can be served
22 by common polling places, subject to Section 271.003.

23 (c) If another law requires two or more political
24 subdivisions to hold a joint election, the governing body of any
25 other political subdivision holding an election on the same day in
26 all or part of the same county in which the joint election is to be
27 held shall [~~may~~] enter into an agreement to participate in the joint

1 election with the governing bodies of the political subdivisions
2 holding the joint election.

3 SECTION 10. Section 262.005(e), Health and Safety Code, is
4 amended to read as follows:

5 (e) [~~Section 41.001(a), Election Code, requiring an~~
6 ~~election to be held on a uniform election date, does not apply to an~~
7 ~~election under this section.~~] The ballot shall be printed to
8 provide for voting for or against the proposition: "Dissolution of
9 the (name of the authority)."

10 SECTION 11. Sections 43.0755(h), (j), and (k), Local
11 Government Code, are amended to read as follows:

12 (h) If a majority of the voters voting in an election under
13 Subsection (c)(2) or (4) approve the proposition submitted on the
14 form of local government, the county judge of the county in which
15 the municipality or alternate form of local government is located
16 shall order an election for the governing body of the municipality
17 or alternate form of local government to be held on a date that
18 complies with the provisions of the Election Code[~~, except that~~
19 ~~Section 41.001(a), Election Code, does not apply~~]. A municipality
20 or alternate form of local government resulting from an election
21 described by this subsection is incorporated or established on the
22 date a majority of the members of the governing body qualify and
23 take office.

24 (j) The temporary governing body under Subsection (i) shall
25 order an election to elect the permanent governing body of the
26 municipality or alternate form of local government to occur on a
27 date that complies with the provisions of the Election Code[~~,~~

1 ~~except that Section 41.001(a), Election Code, does not apply].~~

2 (k) An election ordered under Subsection [~~(h) or~~] (j) to
3 elect members of the governing body of a municipality must be held
4 under the applicable provisions of Chapter 22, 23, or 24, to the
5 extent consistent with this section. An election for members of
6 the governing body of an alternate form of government must be held
7 under the law applicable to that form of government, to the extent
8 consistent with this section.

9 SECTION 12. Section 377.021(g), Local Government Code, is
10 amended to read as follows:

11 (g) In the order calling the election, the municipality may
12 provide for the district boundaries to conform automatically to any
13 changes in the boundaries of the portion of the municipality or the
14 municipality's extraterritorial jurisdiction included in the
15 district, and the election shall be held on the [~~one of the four~~]
16 uniform election date [~~dates~~] under Section 41.001, Election Code.

17 SECTION 13. Chapter 1, Special District Local Laws Code, is
18 amended by adding Section 1.006 to read as follows:

19 Sec. 1.006. UNIFORM ELECTION DATE. Notwithstanding any
20 other provision of this code, an election held under this code shall
21 be held on the uniform election date prescribed by Section 41.001,
22 Election Code.

23 SECTION 14. Section 451.071(f), Transportation Code, is
24 amended to read as follows:

25 (f) A referendum on a proposal to expand a system approved
26 under this section shall [~~may~~] be held on any date specified in
27 Section 41.001, Election Code, [~~or a date chosen by order of the~~

1 ~~board of the authority,~~] provided that:

2 (1) the referendum is held no earlier than the 62nd day
3 after the date of the order; and

4 (2) the proposed expansion involves the addition of
5 not more than 12 miles of track to the system.

6 SECTION 15. Section 49.103(b), Water Code, is amended to
7 read as follows:

8 (b) After [~~Unless a district holds its general election for~~
9 ~~officers on a date as otherwise provided by statute, after~~]
10 confirmation of a district, an election shall be held on the uniform
11 election date, provided by Section 41.001, Election Code, [~~in May~~
12 ~~of each even-numbered year~~] to elect the appropriate number of
13 directors.

14 SECTION 16. Section 56.804(a), Water Code, is amended to
15 read as follows:

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

18 SECTION 17. Section 63.089(a), Water Code, is amended to
19 read as follows:

20 (a) An election shall be held in the district on the uniform
21 election date provided by Section 41.001(a), Election Code [~~first~~
22 ~~Tuesday after the first Monday in November of each even numbered~~
23 ~~year to elect the three commissioners. However, the commissioners~~
24 ~~may, by adopting an order duly entered on the minutes, determine to~~
25 ~~hold the election on the first Tuesday after the first Monday in~~
26 ~~October of each even numbered year to elect the commissioners~~
27 ~~authorized by law~~].

1 SECTION 18. Section 65.103(d), Water Code, is amended to
2 read as follows:

3 (d) [~~Notwithstanding Sections 41.001 and 41.003, Election~~
4 ~~Code, the board may hold an election to elect directors on any date~~
5 ~~determined by the board.~~] The terms of directors must be stated on
6 the ballot.

7 SECTION 19. (a) Section 60.032(c), Agriculture Code, is
8 repealed.

9 (b) The following provisions of the Election Code are
10 repealed:

- 11 (1) Section 41.001(d);
- 12 (2) Section 41.0052(e);
- 13 (3) Section 42.002(c); and
- 14 (4) Section 85.001(e).

15 (c) The following provisions of the Health and Safety Code
16 are repealed:

- 17 (1) Section 262.032(e);
- 18 (2) Section 282.122(d);
- 19 (3) Sections 286.023(g) and (h);
- 20 (4) Section 286.101(f); and
- 21 (5) Section 286.102(c).

22 (d) Section 271.004(c), Local Government Code, is repealed.

23 (e) The following provisions of the Special District Local
24 Laws Code are repealed:

- 25 (1) Section 21.055(b);
- 26 (2) Section 1001.154(f);
- 27 (3) Section 1001.201(c);

- 1 (4) Sections 1001.251(b) and (c);
- 2 (5) Section 1002.201(f);
- 3 (6) Section 1004.151(f);
- 4 (7) Section 1004.171(f);
- 5 (8) Sections 1004.303(f) and (g);
- 6 (9) Section 1008.151(f);
- 7 (10) Section 1012.203(b);
- 8 (11) Section 1012.301(e);
- 9 (12) Section 1013.301(e);
- 10 (13) Section 1015.301(e);
- 11 (14) Section 1018.301(e);
- 12 (15) Section 1020.351(d);
- 13 (16) Sections 1023.301(c-1) and (e);
- 14 (17) Section 1024.253(d);
- 15 (18) Sections 1025.301(d) and (f);
- 16 (19) Sections 1027.301(c-1) and (e);
- 17 (20) Section 1030.301(d);
- 18 (21) Section 1031.301(e);
- 19 (22) Section 1032.301(e);
- 20 (23) Section 1033.301(e);
- 21 (24) Section 1034.253(d);
- 22 (25) Section 1035.155(b);
- 23 (26) Section 1036.401(e);
- 24 (27) Section 1038.301(e);
- 25 (28) Section 1039.118;
- 26 (29) Sections 1043.301(c-1) and (e);
- 27 (30) Section 1045.253(d);

- 1 (31) Section 1046.007;
- 2 (32) Section 1048.301(e);
- 3 (33) Section 1050.301(e);
- 4 (34) Section 1052.301(e);
- 5 (35) Section 1056.301(e);
- 6 (36) Section 1059.301(e);
- 7 (37) Section 1062.301(e);
- 8 (38) Section 1067.301(e);
- 9 (39) Section 1068.253(f);
- 10 (40) Section 1069.154(d);
- 11 (41) Section 1072.021(e);
- 12 (42) Section 1072.301(e);
- 13 (43) Section 1073.301(e);
- 14 (44) Section 1073.351(f);
- 15 (45) Section 1076.301(e);
- 16 (46) Sections 1081.301(d) and (f);
- 17 (47) Section 1083.301(d);
- 18 (48) Section 1084.301(e);
- 19 (49) Section 1088.301(e);
- 20 (50) Section 1091.301(e);
- 21 (51) Sections 1094.151(b) and (d);
- 22 (52) Section 1095.117;
- 23 (53) Section 1098.301(e);
- 24 (54) Section 1100.151(d);
- 25 (55) Section 1100.351(d);
- 26 (56) Section 1101.253(d);
- 27 (57) Section 1101.254(g);

- 1 (58) Section 1101.301(d);
- 2 (59) Section 1102.301(f);
- 3 (60) Section 1104.253(d);
- 4 (61) Section 1104.301(e);
- 5 (62) Section 1108.203(d);
- 6 (63) Section 1109.301(e);
- 7 (64) Section 1115.116;
- 8 (65) Section 1116.253(h);
- 9 (66) Section 1116.304(b);
- 10 (67) Section 1116.351(g);
- 11 (68) Section 1120.021(d);
- 12 (69) Section 1120.301(e);
- 13 (70) Section 1121.021(d);
- 14 (71) Section 1121.301(e);
- 15 (72) Section 1122.021(d);
- 16 (73) Section 1122.2521(e);
- 17 (74) Section 1122.301(e);
- 18 (75) Section 3818.107;
- 19 (76) Section 6606.102(b);
- 20 (77) Section 6607.102(b);
- 21 (78) Section 8112.023(b);
- 22 (79) Section 8113.023(b);
- 23 (80) Section 8114.023(b);
- 24 (81) Section 8115.023(b);
- 25 (82) Section 8116.023(b);
- 26 (83) Section 8117.023(b);
- 27 (84) Section 8118.023(b);

- 1 (85) Section [8119.023](#)(b);
- 2 (86) Section [8120.023](#)(b);
- 3 (87) Section [8132.023](#)(c);
- 4 (88) Section [8185.023](#)(b);
- 5 (89) Section [8200.002](#);
- 6 (90) Section [8201.002](#);
- 7 (91) Section [8202.002](#);
- 8 (92) Section [8368.004](#);
- 9 (93) Section [8852.023](#)(b); and
- 10 (94) Section [8870.006](#)(c).

11 (f) The following provisions of the Transportation Code are
12 repealed:

- 13 (1) Section [54.004](#)(c); and
- 14 (2) Section [441.030](#)(b).

15 (g) The following provisions of the Water Code are repealed:

- 16 (1) Section [51A.007](#);
- 17 (2) Section [62.1071](#)(g); and
- 18 (3) Section [63.089](#)(b).

19 (h) Section 8.01(f), Chapter 670, Acts of the 72nd
20 Legislature, Regular Session, 1991 (Article [4477-7j](#), Vernon's
21 Texas Civil Statutes), is repealed.

22 SECTION 20. This Act applies only to an election ordered on
23 or after the effective date of this Act. An election ordered before
24 the effective date of this Act is governed by the law as it existed
25 immediately before the effective date of this Act, and that law is
26 continued in effect for that purpose.

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