

By: Thompson of Brazoria

H.B. No. 4497

A BILL TO BE ENTITLED

AN ACT

1
2 relating to changing the date of an election during a declared
3 disaster.

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

5 SECTION 1. Subchapter A, Chapter 41, Election Code, is
6 amended by adding Section 41.0012 to read as follows:

7 Sec. 41.0012. EMERGENCY REQUIRING POSTPONED ELECTION. (a)
8 This section applies only during a state of disaster or emergency
9 declared by the president of the United States or a state of
10 disaster declared by the governor under Chapter 418, Government
11 Code.

12 (b) Unless otherwise ordered by the governor, the governing
13 body of a political subdivision, other than a county, that holds an
14 election on a date other than the November uniform election date may
15 postpone the election to the third Saturday in August.

16 (c) A governing body postponing an election under this
17 section shall adjust the terms of office to conform to the new
18 election date.

19 (d) A change authorized under this section adopted in a
20 resolution by a home-rule city supersedes a city charter provision
21 to the extent of any conflict.

22 SECTION 2. 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

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1 immediately before the effective date of this Act, and that law is
2 continued in effect for that purpose.

3 SECTION 3. This Act takes effect September 1, 2021.