

## **BILL ANALYSIS**

H.B. 3613  
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Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In 2021, after the 2020 federal census, municipalities began reapportioning city council districts. In some municipalities, this meant that some residents would be moved in to a new district but then would be unable to vote for their city council member in the following election. Thirteen residents in Austin, who were shifted between council districts after such reapportionment, filed a lawsuit alleging that they were disenfranchised through this process. The lawsuit eventually ended up at the Texas Supreme Court, which chose not to take up the case. H.B. 3613 seeks to address this issue by requiring certain municipalities to elect all members of the municipal governing body on the first uniform election date following the census and any necessary reapportionment.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3613 amends the Local Government Code to require a municipality that is divided into districts, wards, or other areas from which members of its governing body are elected to do the following:

- elect all members of the governing body following each apportionment on the first uniform election date that allows sufficient time to comply with any requirements of law; and
- if members of the governing body of a municipality serve staggered terms, adopt an equitable process to determine which members of the governing body serve shorter terms to accommodate such an election that accounts for the remaining time in each member's term and whether the term of any member elected from a particular district, ward, or area was previously shortened.

### **EFFECTIVE DATE**

September 1, 2023.