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H.B. No. 4621

A BILL TO BE ENTITLED

AN ACT

relating to the authority to cancel certain elections on a measure.

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

SECTION 1. The heading to Section 2.081, Election Code, is amended to read as follows:

Sec. 2.081. CANCELLATION OF [~~MOOT~~] MEASURE.

SECTION 2. Section 2.081, Election Code, is amended by adding Subsections (a-1) and (a-2) and amending Subsections (b) and (c) to read as follows:

(a-1) Not later than the 74th day before election day, the authority that ordered an election on a measure may cancel the election on the measure if not earlier than the 90th day before the election on the measure, the governor issues a disaster declaration under Chapter 418, Government Code, covering an area within the authority's jurisdiction.

(a-2) If an election on a measure required following the submission of a petition signed by a number of registered voters is canceled under Subsection (a-1), the authority that ordered the election shall order a new election on the measure for the first available uniform election day after the canceled election.

(b) If an election on a measure is canceled or the measure is removed from the ballot [~~declared moot~~] under this section [~~and is removed from the ballot~~], the authority holding the election shall post notice of the cancellation or removal [~~declaration~~] during

1 early voting by personal appearance and on election day, at each  
2 polling place that would have been used for the election on the  
3 measure.

4 (c) A county election officer, as defined by Section 31.091,  
5 may use a single combined notice of cancellation under Subsection  
6 (b) for all authorities:

7 (1) for which the officer provides election services  
8 under contract; and

9 (2) that cancel an election on a measure or remove a  
10 measure from the ballot [~~declare an election moot~~] under Subsection  
11 (a) or (a-1).

12 SECTION 3. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2023.