

By: Hughes

S.B. No. 1860

A BILL TO BE ENTITLED

AN ACT

relating to the adoption of a climate policy in a municipal charter.

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

SECTION 1. Chapter 9, Local Government Code, is amended by adding Section 9.0015 to read as follows:

Sec. 9.0015. DEFINITION. In this chapter, "climate charter" means an overarching or comprehensive ordinance, rule, or other policy statement that purports to set out or address climate change or environmental impact on areas such as water, energy, and emissions.

SECTION 2. Section 9.003(a), Local Government Code, is amended to read as follows:

(a) Except as provided by Section 9.0045, the [The] charter prepared by the charter commission shall be submitted to the qualified voters of the municipality at an election to be held on the first authorized uniform election date prescribed by the Election Code that allows sufficient time to comply with other requirements of law and that occurs on or after the 40th day after the date the charter commission completes its work. The governing body of the municipality shall provide for the submission of the charter at the election to the extent that the provisions for submission are not prescribed by general law.

SECTION 3. Section 9.004(a), Local Government Code, is amended to read as follows:

1           (a) Except as provided by Section 9.0045, the [The]  
2 governing body of a municipality on its own motion may submit a  
3 proposed charter amendment to the municipality's qualified voters  
4 for their approval at an election. The governing body shall submit  
5 a proposed charter amendment to the voters for their approval at an  
6 election if the submission is supported by a petition signed by a  
7 number of qualified voters of the municipality equal to at least  
8 five percent of the number of qualified voters of the municipality  
9 or 20,000, whichever number is the smaller.

10           SECTION 4. Chapter 9, Local Government Code, is amended by  
11 adding Section 9.0045 to read as follows:

12           Sec. 9.0045. APPROVAL OF CLIMATE CHARTER OR AMENDMENT TO  
13 CHARTER REQUIRED. Before a vote may be held under Section 9.003 or  
14 9.004, the municipality or charter commission must receive approval  
15 on a climate charter from the appropriate state agency with proper  
16 jurisdiction to propose a climate charter for a municipality or an  
17 amendment to a municipality's climate charter.

18           SECTION 5. A climate charter adopted before the effective  
19 date of this Act remains valid and enforceable until January 1,  
20 2026. Not later than January 1, 2025, municipalities that have  
21 adopted climate charters before the effective date of this Act must  
22 comply with the approval requirement under Section 9.0045, Local  
23 Government Code, as added by this Act.

24           SECTION 6. This Act takes effect September 1, 2023.