

BILL ANALYSIS

C.S.H.B. 1638
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Elections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The City of Alpine passed a resolution September 3, 2024, requesting support to authorize the city to transition from holding its general election for officers on the May uniform election date to doing so on the November uniform election date. C.S.H.B. 1638 seeks to support smaller Texas cities in optimizing election administration while maintaining compliance with statewide electoral standards by allowing the governing body of certain cities, such as the City of Alpine, to change the date of its general election for officers to the November uniform election date.

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

C.S.H.B. 1638 amends the Election Code to authorize the governing body of a city with a population of 9,000 or less, located predominantly in a county that has a total area of less than 6,200 square miles, that has adopted a council-manager form of government and that holds its general election for officers on a date other than the November uniform election date, to change not later than December 31, 2026, the date on which it holds its general election for officers to the November uniform election date. The bill subjects the change of an election date under the bill's provisions to the following statutory provisions:

- the requirement for an applicable governing body changing a general election date for officers to adjust the terms of office to conform to the new election date;
- the provision authorizing a home-rule city to implement a change in such an election date or provide for the election of all members of the governing body at the same election through the adoption of a resolution that supersedes certain other city charter provisions; and
- the provision establishing that the holdover of a member of a governing body of a city to conform to a new election does not constitute a vacancy for purposes of the Texas Constitution.

The bill's provisions expire January 1, 2027.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

C.S.H.B. 1638 differs from the introduced in minor or nonsubstantive ways by conforming to certain bill drafting conventions.