

By: Tepper

H.B. No. 524

A BILL TO BE ENTITLED

AN ACT

relating to the review and approval of certain proposed municipal initiatives and referendums.

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

SECTION 1. Subchapter E, Chapter 51, Local Government Code, is amended by adding Section 51.080 to read as follows:

Sec. 51.080. PROVISIONS APPLICABLE TO PROPOSED INITIATIVES AND REFERENDUMS. (a) This section applies only to a home-rule municipality that provides in its charter for the proposal by petition and voter approval of a measure to:

(1) adopt a new ordinance, regulation, or other measure; or

(2) amend or repeal an existing ordinance, regulation, or other measure.

(b) Before ordering an election on a measure described by Subsection (a), a municipality shall submit the measure to the attorney general. The municipality must submit the measure to the attorney general not later than the fifth day after the day the municipality receives the petition on the measure. The attorney general shall, not later than the 30th day after the day the municipality submits the measure to the attorney general:

(1) determine whether any portion of the measure would violate state law; and

(2) advise the municipality in writing of its

1 determination.

2 (c) Subject to Subsections (d) and (e), a municipality may
3 not hold an election on a measure described by Subsection (a) if the
4 attorney general determines that any portion of the measure would
5 violate state law.

6 (d) A municipality shall order an election on a measure if
7 the attorney general does not comply with the requirements of
8 Subsection (b) in the time and manner prescribed by that
9 subsection.

10 (e) A qualified voter of a municipality that submits a
11 measure to the attorney general under this section may bring an
12 action to challenge a determination by the attorney general under
13 Subsection (b) that the measure would violate state law. The
14 municipality:

15 (1) shall order an election on the measure if the court
16 finds that the measure would not violate state law; and

17 (2) may not order an election on the measure if the
18 court finds that the measure would violate state law.

19 (f) A municipality must hold an election on a measure
20 described by Subsection (a) on a uniform election date.

21 (g) To the extent that the requirements of this section
22 conflict with a municipal charter provision requiring the
23 municipality to order an election within a period following receipt
24 of a petition, this section controls and the period during which the
25 municipality must order the election is extended to the extent
26 necessary to comply with this section.

27 SECTION 2. Section [51.079](#), Local Government Code, is

1 repealed.

2 SECTION 3. The changes in law made by this Act apply only to
3 a petition requesting an election on a measure submitted to a
4 municipality on or after the effective date of this Act.

5 SECTION 4. This Act takes effect September 1, 2025.