

By: Parker, et al.
(Capriglione)

S.B. No. 1059

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the governing body of a home-rule municipality to submit a proposed charter amendment to the voters for approval if application of the provisions of the amendment would be contrary to state law.

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

SECTION 1. Section 9.004(a), Local Government Code, is amended to read as follows:

(a) Except as provided by Sections 9.0041 and [Section] 9.0045, the governing body of a municipality on its own motion may submit a proposed charter amendment to the municipality's qualified voters for their approval at an election. The governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.

SECTION 2. Chapter 9, Local Government Code, is amended by adding Section 9.0041 to read as follows:

Sec. 9.0041. AUTHORITY TO PROPOSE CHARTER AMENDMENT CONTRARY TO STATE LAW. The governing body of a municipality may not submit a proposed charter amendment to the voters for approval if application of the provisions of the amendment would be contrary to state law.

1 SECTION 3. This Act takes effect September 1, 2025.