

1-1 By: Huffman S.B. No. 1296
 1-2 (In the Senate - Filed March 3, 2017; March 13, 2017, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 3, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 3, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1296 By: Huffman

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the review of ballot proposition language for certain
 1-22 political subdivision elections.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter C, Chapter 52, Election Code, is
 1-25 amended by adding Section 52.0721 to read as follows:

1-26 Sec. 52.0721. REVIEW OF BALLOT PROPOSITION LANGUAGE.

1-27 (a) This section applies only to an election on a measure held by a
 1-28 political subdivision located primarily in a county with a
 1-29 population of more than 120,000. This section does not apply to an
 1-30 election for which a statute provides the ballot proposition
 1-31 language.

1-32 (b) Not later than the 109th day before an election, a
 1-33 political subdivision seeking to hold an election on a measure
 1-34 shall submit to the regional presiding judge of the administrative
 1-35 judicial region that the political subdivision is located in:

1-36 (1) the ballot proposition language; and

1-37 (2) a brief statement on the purpose of the
 1-38 proposition.

1-39 (c) A political subdivision that is located in two or more
 1-40 administrative judicial regions may select the administrative
 1-41 judicial region to which the political subdivision submits the
 1-42 proposition language for review.

1-43 (d) A judge receiving a submission under Subsection (b)
 1-44 shall appoint three judges from the administrative judicial region
 1-45 to serve on a panel to review the ballot proposition language before
 1-46 the election may be held.

1-47 (e) If the panel finds the language of the proposition is
 1-48 clear and understandable to the average voter, the panel shall
 1-49 approve the language of the proposition for the ballot.

1-50 (f) If the panel finds the language of the proposition is
 1-51 not clear and understandable to the average voter or does not make a
 1-52 finding on the proposition language before the 31st day after the
 1-53 date the panel is appointed, the language is disapproved and may not
 1-54 be used on the ballot at the election. The panel may provide the
 1-55 political subdivision with rewritten ballot proposition language
 1-56 that is clear and understandable to the average voter for use in the
 1-57 election.

1-58 (g) Following disapproval under Subsection (f), the
 1-59 political subdivision may:

1-60 (1) hold the election with the rewritten ballot

2-1 proposition language provided by the panel; or
2-2 (2) submit revised ballot proposition language for
2-3 approval by the panel in the manner provided under Subsections (e)
2-4 and (f).

2-5 (h) To the extent of a conflict between this section and any
2-6 provision of law requiring a political subdivision to hold an
2-7 election on a measure within a certain period, this section
2-8 controls.

2-9 SECTION 2. The change in law made by this Act applies only
2-10 to an election ordered on or after the effective date of this Act.
2-11 An election ordered before the effective date of this Act is
2-12 governed by the law in effect when the election was ordered, and the
2-13 former law is continued in effect for that purpose.

2-14 SECTION 3. This Act takes effect September 1, 2017.

2-15

* * * * *