

By: Oliverson

H.B. No. 2450

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the requirement that certain political subdivisions
3 hold elections on uniform election dates.

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

5 SECTION 1. Section 41.001(b), Election Code, is amended to
6 read as follows:

7 (b) Subsection (a) does not apply to:

8 (1) a runoff election;

9 (2) an election to resolve a tie vote;

10 (3) an election held under an order of a court or other
11 tribunal;

12 (4) an emergency election ordered under Section
13 41.0011;

14 (5) an expedited election to fill a vacancy in the
15 legislature held under Section 203.013;

16 (6) an election ordered by the governor or by an
17 authority of a county, city, or independent school district and
18 held under a statute that expressly provides that the requirement
19 of Subsection (a) does not apply to the election; or

20 (7) the initial election of the members of the
21 governing body of a newly incorporated city.

22 SECTION 2. Subchapter A, Chapter 41, Election Code, is
23 amended by adding Section 41.0051 to read as follows:

24 Sec. 41.0051. ELECTION TO ISSUE BONDS. Notwithstanding any

1 other law, an election for the issuance of bonds by a political
2 subdivision, other than a county, an independent school district,
3 or a city, shall be held on a uniform election date.

4 SECTION 3. Section 41.0052(a), Election Code, is amended to
5 read as follows:

6 (a) The governing body of a political subdivision, other
7 than a county, an independent school district, or a city [~~municipal~~
8 ~~utility district~~], that holds its general election for officers on
9 a date other than a [~~the November~~] uniform election date shall
10 [~~may~~], not later than December 31, 2020 [~~2016~~], change the date on
11 which it holds its general election for officers to a [~~the November~~]
12 uniform election date.

13 SECTION 4. Section 262.005(e), Health and Safety Code, is
14 amended to read as follows:

15 (e) [~~Section 41.001(a), Election Code, requiring an~~
16 ~~election to be held on a uniform election date, does not apply to an~~
17 ~~election under this section.~~] The ballot shall be printed to
18 provide for voting for or against the proposition: "Dissolution of
19 the (name of the authority)."

20 SECTION 5. Section 377.021(g), Local Government Code, is
21 amended to read as follows:

22 (g) In the order calling the election, the municipality may
23 provide for the district boundaries to conform automatically to any
24 changes in the boundaries of the portion of the municipality or the
25 municipality's extraterritorial jurisdiction included in the
26 district, and the election shall be held on one of the [~~four~~]
27 uniform election dates under Section 41.001, Election Code.

1 SECTION 6. Section 1015.301(c), Special District Local Laws
2 Code, is amended to read as follows:

3 (c) The board shall order an election if the board receives
4 a petition requesting an election that is signed by at least 10
5 percent of the registered voters in the district. The board shall
6 order the election to be held on the first uniform election date
7 that allows sufficient time to comply with any requirements of law
8 ~~[not later than the 60th day after the date the petition is~~
9 ~~presented to the district].~~

10 SECTION 7. Section 1076.051(c), Special District Local Laws
11 Code, is amended to read as follows:

12 (c) Unless four-year terms are established under Section
13 285.081, Health and Safety Code:

14 (1) trustees serve two-year terms;

15 (2) trustees who represent odd-numbered precincts and
16 the trustee elected at large are elected in odd-numbered years;

17 (3) trustees who represent even-numbered precincts
18 are elected in even-numbered years; and

19 (4) a trustee's election shall be held each year on the
20 May uniform election date prescribed by Section 41.001, Election
21 Code~~[, or another date authorized by law].~~

22 SECTION 8. Section 1091.301(c), Special District Local Laws
23 Code, is amended to read as follows:

24 (c) The board shall order an election under this section if
25 the board receives a petition requesting an election that is signed
26 by at least 300 registered district voters according to the most
27 recent official list of registered voters. The board shall order

1 ~~call~~ the election to be held on the first uniform election date
2 that allows sufficient time to comply with any requirements of law
3 ~~[not later than the 60th day after the date the petition is~~
4 ~~presented to the district]~~.

5 SECTION 9. Section 1098.051(c), Special District Local Laws
6 Code, is amended to read as follows:

7 (c) A directors' election shall be held annually on the May
8 uniform election date prescribed by Section 41.001, Election Code~~[,~~
9 ~~or another date authorized by law]~~.

10 SECTION 10. Section 1101.051(c), Special District Local
11 Laws Code, is amended to read as follows:

12 (c) An election shall be held in each even-numbered year on
13 the May uniform election date prescribed under Section 41.001,
14 Election Code, ~~[or another date authorized by law,~~
15 appropriate number of directors.

16 SECTION 11. Section 1102.051(b), Special District Local
17 Laws Code, is amended to read as follows:

18 (b) Unless four-year terms are established under Section
19 285.081, Health and Safety Code:

20 (1) directors serve two-year terms; and

21 (2) an election shall be held annually on the May
22 uniform election date prescribed under Section 41.001, Election
23 Code~~[,~~ ~~or another date authorized by law]~~.

24 SECTION 12. Section 1104.301(c), Special District Local
25 Laws Code, is amended to read as follows:

26 (c) If the board receives a petition requesting an election
27 that is signed by at least 10 percent of the registered voters of

1 the district, according to the most recent official list of
2 registered voters, the board shall order an election to be held.
3 The election shall be called on the first uniform election date that
4 allows sufficient time to comply with any requirements of law [~~not~~
5 ~~later than the 60th day after the date the petition is presented to~~
6 ~~the district~~].

7 SECTION 13. Section 3813.052(a), Special District Local
8 Laws Code, is amended to read as follows:

9 (a) The board shall hold an election of directors for
10 positions four and five in each even-numbered year on a [~~the~~]
11 uniform election date [~~in February~~] established by Section 41.001,
12 Election Code.

13 SECTION 14. Section 8844.104, Special District Local Laws
14 Code, is amended to read as follows:

15 Sec. 8844.104. ELECTION DATE. Each odd-numbered year, the
16 board shall hold an election in the district on the uniform election
17 date in May to elect the appropriate number of directors. [~~Section~~
18 ~~41.001(a)(2), Election Code, does not apply to the district.~~]

19 SECTION 15. Section 11010.005(h), Special District Local
20 Laws Code, is amended to read as follows:

21 (h) If the governing body of the local government, before
22 the proposed effective date of the order, receives a petition
23 calling for an election on the question of authorizing the addition
24 of the local government to the authority as a sponsor that is signed
25 by at least 10 percent of the local government's registered voters,
26 the governing body shall order a special election on the question.
27 [~~Section 41.001(a), Election Code, does not apply to an election~~

1 ~~ordered under this subsection.]~~

2 SECTION 16. Section 451.071(f), Transportation Code, is
3 amended to read as follows:

4 (f) A referendum on a proposal to expand a system approved
5 under this section shall ~~[may]~~ be held on any date specified in
6 Section 41.001, Election Code, ~~[or a date chosen by order of the~~
7 ~~board of the authority,]~~ provided that:

8 (1) the referendum is held no earlier than the 62nd day
9 after the date of the order; and

10 (2) the proposed expansion involves the addition of
11 not more than 12 miles of track to the system.

12 SECTION 17. Section 63.089(a), Water Code, is amended to
13 read as follows:

14 (a) An election shall be held in the district on the ~~[first~~
15 ~~Tuesday after the first Monday in]~~ November uniform election date
16 of each even numbered year to elect the three commissioners.
17 ~~[However, the commissioners may, by adopting an order duly entered~~
18 ~~on the minutes, determine to hold the election on the first Tuesday~~
19 ~~after the first Monday in October of each even numbered year to~~
20 ~~elect the commissioners authorized by law.]~~

21 SECTION 18. Section 65.103(d), Water Code, is amended to
22 read as follows:

23 (d) ~~[Notwithstanding Sections 41.001 and 41.003, Election~~
24 ~~Code, the board may hold an election to elect directors on any date~~
25 ~~determined by the board.]~~ The terms of directors must be stated on
26 the ballot.

27 SECTION 19. (a) Section 60.032(c), Agriculture Code, is

1 repealed.

2 (b) The following provisions of the Health and Safety Code
3 are repealed:

- 4 (1) Section 262.032(e);
- 5 (2) Section 282.122(d);
- 6 (3) Sections 286.023(g) and (h);
- 7 (4) Section 286.101(f); and
- 8 (5) Section 286.102(c).

9 (c) The following provisions of the Special District Local
10 Laws Code are repealed:

- 11 (1) Section 21.055(b);
- 12 (2) Section 1001.154(f);
- 13 (3) Section 1001.201(c);
- 14 (4) Sections 1001.251(b) and (c);
- 15 (5) Section 1002.201(f);
- 16 (6) Section 1004.151(f);
- 17 (7) Section 1004.171(f);
- 18 (8) Sections 1004.303(f) and (g);
- 19 (9) Section 1008.151(f);
- 20 (10) Section 1012.203(b);
- 21 (11) Section 1012.301(e);
- 22 (12) Section 1013.301(e);
- 23 (13) Section 1015.301(e);
- 24 (14) Section 1018.301(e);
- 25 (15) Section 1020.351(d);
- 26 (16) Sections 1023.301(c-1) and (e);
- 27 (17) Section 1024.253(d);

- 1 (18) Sections 1025.301(d) and (f);
- 2 (19) Sections 1027.301(c-1) and (e);
- 3 (20) Section 1030.301(d);
- 4 (21) Section 1031.301(e);
- 5 (22) Section 1032.301(e);
- 6 (23) Section 1033.301(e);
- 7 (24) Section 1034.253(d);
- 8 (25) Section 1035.155(b);
- 9 (26) Section 1036.401(e);
- 10 (27) Section 1038.301(e);
- 11 (28) Section 1039.118;
- 12 (29) Sections 1043.301(c-1) and (e);
- 13 (30) Section 1045.253(d);
- 14 (31) Section 1046.007;
- 15 (32) Section 1048.301(e);
- 16 (33) Section 1050.301(e);
- 17 (34) Section 1052.301(e);
- 18 (35) Section 1056.301(e);
- 19 (36) Section 1059.301(e);
- 20 (37) Section 1062.301(e);
- 21 (38) Section 1067.301(e);
- 22 (39) Section 1068.253(f);
- 23 (40) Section 1069.154(d);
- 24 (41) Section 1072.021(e);
- 25 (42) Section 1072.301(e);
- 26 (43) Section 1073.301(e);
- 27 (44) Section 1073.351(f);

- 1 (45) Section 1076.301(e);
- 2 (46) Sections 1081.301(d) and (f);
- 3 (47) Section 1083.301(d);
- 4 (48) Section 1084.301(e);
- 5 (49) Section 1088.301(e);
- 6 (50) Section 1091.301(e);
- 7 (51) Sections 1094.151(b) and (d);
- 8 (52) Section 1095.117;
- 9 (53) Section 1098.301(e);
- 10 (54) Section 1100.151(d);
- 11 (55) Section 1100.351(d);
- 12 (56) Section 1101.253(d);
- 13 (57) Section 1101.254(g);
- 14 (58) Section 1101.301(d);
- 15 (59) Section 1102.301(f);
- 16 (60) Section 1104.253(d);
- 17 (61) Section 1104.301(e);
- 18 (62) Section 1108.203(d);
- 19 (63) Section 1109.301(e);
- 20 (64) Section 1115.116;
- 21 (65) Section 1116.253(h);
- 22 (66) Section 1116.304(b);
- 23 (67) Section 1116.351(g);
- 24 (68) Section 1120.021(d);
- 25 (69) Section 1120.301(e);
- 26 (70) Section 1121.021(d);
- 27 (71) Section 1121.301(e);

- 1 (72) Section 1122.021(d);
- 2 (73) Section 1122.2521(e);
- 3 (74) Section 1122.301(e);
- 4 (75) Section 3818.107;
- 5 (76) Section 6606.102(b);
- 6 (77) Section 6607.102(b);
- 7 (78) Section 8112.023(b);
- 8 (79) Section 8113.023(b);
- 9 (80) Section 8114.023(b);
- 10 (81) Section 8115.023(b);
- 11 (82) Section 8116.023(b);
- 12 (83) Section 8117.023(b);
- 13 (84) Section 8118.023(b);
- 14 (85) Section 8119.023(b);
- 15 (86) Section 8120.023(b);
- 16 (87) Section 8132.023(c);
- 17 (88) Section 8185.023(b);
- 18 (89) Section 8200.002;
- 19 (90) Section 8201.002;
- 20 (91) Section 8202.002;
- 21 (92) Section 8368.004;
- 22 (93) Section 8852.023(b); and
- 23 (94) Section 8870.006(c).
- 24 (d) Section 441.030(b), Transportation Code, is repealed.
- 25 (e) The following provisions of the Water Code are repealed:
- 26 (1) Section 51A.007;
- 27 (2) Section 62.1071(g); and

1 (3) Section 63.089(b).

2 SECTION 20. This Act applies only to an election ordered on
3 or after the effective date of this Act. An election ordered before
4 the effective date of this Act is governed by the law as it existed
5 immediately before the effective date of this Act, and that law is
6 continued in effect for that purpose.

7 SECTION 21. This Act takes effect September 1, 2019.