

1-1 By: Munoz, Jr. (Senate Sponsor - Hinojosa) H.B. No. 1372  
1-2 (In the Senate - Received from the House May 2, 2013;  
1-3 May 3, 2013, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 16, 2013, reported favorably by  
1-5 the following vote: Yeas 4, Nays 0; May 16, 2013, sent to  
1-6 printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	Hinojosa	X		PNV
1-10	Nichols	X		
1-11	Garcia	X		
1-12	Paxton	X		
1-13	Taylor			X

1-14 A BILL TO BE ENTITLED  
1-15 AN ACT

1-16 relating to filling certain vacancies on the governing body of  
1-17 certain home-rule municipalities.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-19 SECTION 1. Section 26.045, Local Government Code, is  
1-20 amended to read as follows:

1-21 Sec. 26.045. FILLING VACANCY ON GOVERNING BODY OF  
1-22 MUNICIPALITY WITH POPULATION OF 1.5 MILLION OR MORE. (a) Except as  
1-23 provided by Subsection (b), if ~~if~~ a vacancy occurs on the  
1-24 governing body of a municipality with a population of 1.5 million or  
1-25 more and more than 270 days remain before the date of the next  
1-26 general election of members of the governing body, the governing  
1-27 body shall order a special election in the district in which the  
1-28 vacancy occurred, or in the entire municipality if the vacancy  
1-29 occurred in an at-large position, to fill the vacancy. The special  
1-30 election shall be held on an authorized uniform election date  
1-31 prescribed by the Election Code that occurs before the general  
1-32 election and that allows enough time to hold the election in the  
1-33 manner required by law and shall be conducted in the same manner as  
1-34 the municipality's general election except as provided by  
1-35 provisions of the Election Code applicable to special elections to  
1-36 fill vacancies.

1-37 (b) This section does not apply to a municipality that has  
1-38 provided by charter or charter amendment a different procedure to  
1-39 fill a vacancy on its governing body for which the unexpired term is  
1-40 12 months or less.

1-41 SECTION 2. This Act takes effect on the date on which the  
1-42 constitutional amendment proposed by the 83rd Legislature, Regular  
1-43 Session, 2013, authorizing a home-rule municipality to provide in  
1-44 its charter the procedure to fill a vacancy on its governing body  
1-45 for which the unexpired term is 12 months or less is approved by the  
1-46 voters. If that amendment is not approved by the voters, this Act  
1-47 has no effect.

1-48 \* \* \* \* \*