

SUBJECT: Altering term limits for certain Houston city officials

COMMITTEE: Urban Affairs — favorable, without amendment

VOTE: 7 ayes — Y. Davis, Alvarado, Gutierrez, Kent, Miklos, C. Turner, Walle
0 nays
4 absent — C. Howard, Fletcher, Mallory Caraway, Pierson

WITNESSES: None

BACKGROUND: Local Government Code, ch. 26 regulates home-rule municipalities. Houstonians voted in 1991 to limit the city's mayor, controller, and council members to three two-year terms.

DIGEST: HB 3006 would require the mayor of Houston to call an election on term limits for Houston's governing body, to be held on the November election date in the even-numbered year after the effective date of the bill. The governing body would decide whether the election would authorize term limits consisting of a maximum of three four-year terms or six two-year terms.

The bill sets forth the language requirements for the ballot proposition and requires that if a majority of the voters favored the proposition, the number and length of terms a person could serve on the governing body would be limited as provided in the proposition. If less than a majority of voters favored the proposition, municipal terms limits and the length of the terms currently established would not change.

If the revised term limits were approved, the term of a member of the governing body who was appointed or elected before the election would be counted only if the member had served one-half or more of the term. A partial term to which a member had been elected or appointed on or after the election would be counted only if the member had served one-half or more of the term.

The bill would take effect September 1, 2009, and its provisions would expire January 11, 2011.

**SUPPORTERS
SAY:**

HB 3006 would promote sound management for the city of Houston. It would not affect the term limits of current officials or extend their terms. However, current city council term limits in Houston are too short, which hampers city officials by forcing them to leave office before the benefit of their experience can be realized fully. This does not promote sound management, because just as they start to gain experience and expertise, they are forced out by an artificial limit. The bill would not usurp the wishes of the voters who support term limits — it would allow them to decide if the limits should be extended.

Houston is the fourth largest city in the United States and the largest city in Texas. The city council deals with important and complex issues, such as capital projects, which can often take up to ten years or longer to complete. Because of the length of the current term limits, many council members cannot see these projects to fruition. With the rapid turnover for city officials, there is little opportunity to develop and keep sophisticated leadership who can deal with myriad municipal issues, including the special interest groups and lobbyists. There is a critical need for experienced city officials, especially in a city the size of Houston.

Term limits bring new people and new ideas into government and open up elected offices to those who might otherwise not consider running because of the power of incumbency. More frequent elections bring about and stimulate debate on important issues. On the other hand, if term limits are too short, there is no accountability. Essentially, a new city official is already a lame duck almost from their first day on the job.

The voters of Houston would decide whether to retain the current term limits or adopt the term limits proposed in HB 3006. The bill simply would give them another option.

**OPPONENTS
SAY:**

The bill should abolish term limits completely. Term limits undermine effective government by shuffling officials in and out before they have an opportunity to gain the institutional knowledge that they need to govern effectively. They are undemocratic, short-sighted, and impractical. Even the most accomplished and responsible officials must shorten their vision for the city because of the brief amount of time they can serve in office. If the voters decide their interests are not being served, they can make their voices heard at the ballot box by voting out long-serving incumbents.

Term limits were instituted back in the 1990s when people who were generally unhappy with government thought term limits would usher in more responsible actions from elected leaders. They resulted in people not running for city office because they are passionate about the issues, but as a stepping stone to another office. This puts political careers above important municipal interests. There is no evidence that term limits have improved the quality of government. When good city leaders are removed along with ineffective ones, term limits fail the voters.

OTHER
OPPONENTS
SAY:

The voters in Houston instituted the current term limits in 1991. They could seek to amend the city charter if they wanted to extend the limits from six years to twelve years rather than have the Legislature add a proposition to the city ballot.