

BILL ANALYSIS

Senate Research Center

S.B. 1166
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Intergovernmental Relations
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As Filed

DIGEST

Currently, no state law exists that relates to the shape of districts from which members of the governing body of a municipality are elected. Concern exists that districts drawn using racial or ethnic communities as the basis for establishing election districts may be in violation of U.S. Supreme Court decisions wherein the congressional districts adopted by the State of Texas after the 1990 census were challenged. This bill requires an election district to be composed of contiguous territory and not drawn in a manner that divides communities of interest or creates a noncompact district if the predominant consideration was the separation of persons of different racial or ethnic groups.

PURPOSE

As proposed, S.B. 1166 requires an election district to be composed of contiguous territory and not drawn in a manner that divides communities of interest or creates a noncompact district if the predominant consideration was the separation of persons of different racial or ethnic groups.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 2B, Local Government Code, by adding Chapter 27, as follows:

CHAPTER 27. USE OF DISTRICTS TO ELECT MEMBERS OF GOVERNING BODY

Sec. 27.001. REQUIREMENTS. Requires a district to be composed of contiguous territory and to not be drawn in a manner that divides communities of interest or creates a noncompact district if the predominant consideration was the separation of persons of different racial or ethnic groups. Provides that Subsection (a)(2) does not apply to a district that is narrowly tailored to promote a compelling government interest.

SECTION 2. Emergency clause.
Effective date: upon passage.