

BILL ANALYSIS

Senate Research Center

C.S.S.B. 236
By: Lindsay
Intergovernmental Relations
2-20-97
Committee Report (Substituted)

DIGEST

Currently, there exists no law enforcing the voting rights for qualified voters in annexed municipal areas. The concern is that residents will be precluded from participating in a city election because of pending approval by the United States Department of Justice. S.B. 236 provides for the enforcement of voting rights in annexed municipal areas by making void any election held where qualified voters are not allowed to vote.

PURPOSE

As proposed, C.S.S.B. 236 protects the voting rights of qualified voters in annexed municipal areas.

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 Chapter 43Z, Local Government Code, by adding Section 43.905, as follows:

Sec. 43.905. Prohibits a municipality that annexes an area from conducting an election under certain conditions and from imposing taxes during a certain period, unless the municipality is notified that the annexation has received preclearance from the Department of Justice. Sets forth conditions for which this section does not apply to an annexed area. Sets forth types of elections to which this section does not apply.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amends SECTION 1, Section 43.905, Local Government Code, to delete proposed changes to Section 43.905; to prohibit a municipality from conducting an election and imposing taxes under certain conditions; to set forth provisions to which this section does not apply; and to set forth types of elections to which this section does not apply.