

SUBJECT: Creating a process for removal of an official in home-rule municipalities

COMMITTEE: Urban Affairs — favorable, without amendment

VOTE: 5 ayes — Alvarado, Hunter, R. Anderson, Bernal, Elkins

1 nay — Schaefer

1 absent — M. White

WITNESSES: For — Wesley Jameson

Against — (*Registered, but did not testify*: TJ Patterson, City of Fort Worth)

BACKGROUND: Local Government Code, sec. 51.072 grants a home-rule municipality the full power of local self-government.

Government Code, ch. 551, establishes open meeting requirements for government bodies.

DIGEST: HB 3380 would prohibit the governing body of a home-rule municipality from removing an elected officer based solely on an administrative violation of the municipality's charter.

Any removal process a municipality established would be required to provide a written notice to the elected officer of the grounds for removal and an opportunity for a public hearing that complied with certain requirements, including publishing a notice of the hearing and compliance with state open meeting laws.

This bill would not prohibit the voters of a municipality from removing an official if authorized by the municipal charter. Any municipality that does not have a process of removal as required by the provisions of the bill would be required to establish a process no later than October 1, 2015.

HB 3380  
House Research Organization  
page 2

The bill would take effect September 1, 2015.