

SUBJECT: Specifying city voting and election rights for certain annexed residents

COMMITTEE: Land and Resource Management — favorable, without amendment

VOTE: 6 ayes — Craddick, Muñoz, C. Bell, Biedermann, Minjarez, Stickland

0 nays

3 absent — Canales, Leman, Thierry

WITNESSES: For — None

Against — (*Registered, but did not testify*: Bill Kelly, City of Houston Mayor's Office)

BACKGROUND: Local Government Code sec. 43.0751 requires a city, upon request of a conservation and reclamation district included in the city's annexation plan, to negotiate and enter into a written strategic partnership agreement with the district. A strategic partnership agreement could have certain provisions, including limited-purpose annexation of the district on terms acceptable to the city and district.

Sec. 43.130 allows the qualified voters of an area annexed for limited purposes to vote in certain city elections, including the election or recall of members of the governing body, the controller, and the amendment of the city charter. The voters may not vote in a bond election and are not eligible to be a candidate for or elected to a city office.

Some have suggested clarifying current law regarding voting rights and eligibility for office of certain districts annexed under a strategic partnership agreement.

DIGEST: HB 802 would allow the qualified voters of a conservation and reclamation district in which any part was annexed for limited purposes under a strategic partnership agreement to vote in city elections, as provided under Local Government Code sec. 43.130.

If the district included an area located in more than one city, a voter who was a resident of a city not under a strategic partnership agreement could not vote in the elections of the city under an agreement.

A resident of an annexed district would not be eligible to be a candidate for or elected to a city office.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.