

BILL ANALYSIS

Senate Research Center
77R2337 ATP-D

H.B. 440
By: Madden (To Be Filled)
Intergovernmental Relations
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Engrossed

DIGEST AND PURPOSE

In 1997, the legislature authorized the creation of library districts, through which a community without a public library can impose a tax to establish, equip, and maintain a library. As proposed, H.B. 440 simplifies library district trustee elections by conforming election procedures to municipal election procedures. The bill requires that write-in votes be counted only if the candidate appears on a list of write-in candidates and cancels an election in which a candidate is unopposed.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 326C, Local Government Code, by adding Sections 326.0431 and 346.0432, as follows:

Sec. 326.0431. WRITE-IN CANDIDACIES. Authorizes write-in votes to be counted only for names appearing on a list of write-in candidates, in the manner provided by Chapter 146C (Write-in Candidate in City Election), Election Code, for counting write-in votes for city officers.

Sec. 326.0432. ELECTION OF UNOPPOSED CANDIDATE. Provides that Chapter 2C (Election of Unopposed Candidate), Election Code, applies to the election of an unopposed candidate for the office of trustee of a library district after the election of the initial members of the board of trustees.

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.