

BILL ANALYSIS

Senate Research Center
80R11350 DRH-D

H.B. 1648
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Larger counties are not allowed to hold a nonbinding referendum on the expenditure of public funds. Home rule municipalities in Texas have this authority. Additionally, current statute authorizes counties with populations of less than 40,000 to call a nonbinding referendum on any issue relating to building on county property. Allowing larger counties to hold a nonbinding referendum would allow a commissioners court to determine the will of their constituents before enacting local policy affecting the expenditure of public funds.

As proposed, H.B. 1648 authorizes the commissioners court of a county to hold a nonbinding referendum on any question affecting a county fiscal matter except for labor agreements or for any county employee compensation. This bill requires the election to be held on a uniform election date.

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 Subchapter Z, Chapter 130, Local Government Code, by adding Section 130.910, as follows:

Sec. 130.910. NONBINDING REFERENDUM ON COUNTY FISCAL MATTER. (a) Authorizes the commissioners court of a county to hold a nonbinding referendum in the county on any question affecting a county fiscal matter other than a matter involving a labor agreement, or compensation of any county employee.

(b) Requires the referendum to be held in the same manner as an election on a county measure and to take place on an election date authorized by Section 41.001 (Uniform Election Dates), Election Code.

SECTION 2. Effective date: upon passage or September 1, 2007.