

## **BILL ANALYSIS**

Senate Research Center  
81R10524 NC-D

H.B. 3006  
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Intergovernmental Relations  
5/18/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Existing term limits of six years prohibit members of governing bodies for municipalities from gaining necessary legislative experience. Qualified candidates may not seek to serve on the city council if they know that they will be forced to move on after six years. In Houston, which has a strong mayor system, six year term limits give less power to council members and favor executive power over legislative power.

H.B. 3006 relates to the authority of certain municipalities to impose term limits on the members of their governing bodies.

### **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 C, Chapter 26, Local Government Code, by adding Section 26.048, as follows:

Sec. 26.048. TERM LIMITS IN POPULOUS MUNICIPALITIES. (a) Provides that this section applies only to a municipality with a population of 1.8 million or more.

(b) Defines "governing body of a municipality" and "municipal term limit."

(c) Requires the governing body of the municipality to decide whether an election held under this section will authorize term limits for members of the governing body of the municipality consisting of a maximum of three four-year terms, or six two-year terms.

(d) Requires the mayor of a municipality to order an election in the municipality on the first November uniform election date that occurs in an even-numbered year after this section becomes applicable to the municipality on the question of imposing term limits on the members of the governing body of the municipality.

(e) Requires the ballot at the election to be printed to permit voting for or against the proposition: "Authorizing term limits consisting of (insert number of terms and length of terms) on a person's service on the governing body of the City of (insert name of municipality)."

(f) Provides that if a majority of the votes received at the election favor the proposition, the number and length of terms a person is authorized to serve on the governing body is limited as provided in the proposition. Requires the municipality to adjust the length of the terms of the members of the governing body as necessary to comply with the proposition.

(g) Provides that if less than a majority of the votes received at the election favor the proposition, municipal term limits and the length of the terms of the members of the governing body that existed before the election are not affected.

(h) Provides that in applying a term limit authorized by this section, a term to which a member of the governing body was elected or appointed before the election held under Subsection (d) is counted only if the member served one-half or more of the term, and a partial term to which a member of the governing body is elected or appointed on or after the date of the election held under Subsection (d) is counted only if the member serves one-half or more of the term.

(i) Provides that this section expires January 1, 2011.

SECTION 2. Effective date: September 1, 2009.