

## **BILL ANALYSIS**

Senate Research Center  
84R1345 NC-D

H.B. 2201  
By: Phillips (Estes)  
Intergovernmental Relations  
5/21/2015  
Engrossed

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

Interested parties contend that current law does not adequately prevent a member of a governing board of a municipality who is no longer a resident of the municipality from continuing to vote on issues before the board. H.B. 2201 seeks to address this issue by revising provisions relating to the disqualification of a member of the governing body of a municipality.

H.B. 2201 amends current law relating to vacancies on the governing body of a Type A general-law municipality.

### **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 Section 22.008, Local Government Code, as follows:

Sec. 22.008. New heading: DISQUALIFICATION FROM OFFICE. (a) Creates this subsection from existing text. Makes no further change to this subsection.

(b) Provides that the member, if a member of the governing body changes the member's place of residence to a location outside the corporate boundaries of the municipality, is automatically disqualified from holding the member's office and the office is considered vacant.

SECTION 2. Amends Section 22.010, Local Government Code, by amending Subsection (a) and adding Subsection (d-1), as follows:

(a) Authorizes a majority of the remaining members who are present and voting, excluding the mayor, if for any reason a single vacancy exists on the governing body of the municipality, to fill the vacancy by appointment unless an election to fill the vacancy is required by Article XI (Municipal Corporations), Section 11 (Term of Office Exceeding Two Years in Home Rule and General Law Cities; Vacancies), of the Texas Constitution.

(d-1) Provides that a member of the governing body is ineligible to vote to fill a vacancy on the governing body by special election after resigning from the governing body.

SECTION 3. Effective date: September 1, 2015.