

BILL ANALYSIS

C.S.H.B. 3727
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Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that it is problematic when members of the governing bodies of certain municipalities are unable to replace a member when it is appropriate to do so. C.S.H.B. 3727 seeks to address this issue by reforming the law regarding vacancies on the governing body of a Type A general-law municipality.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3727 amends the Local Government Code to establish that a member of the governing body of a Type A general-law municipality who 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 that the office is considered vacant. The bill changes the threshold for filling a single vacancy on the governing body by appointment from a majority of the remaining members to a majority of the remaining members who are present and voting. The bill makes a member of the governing body ineligible to vote to fill a vacancy on the governing body by special election after resigning from the governing body.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3727 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.