

SUBJECT: Election of an unopposed candidate for municipal office

COMMITTEE: Elections — favorable, without amendment

VOTE: 5 ayes — Danburg, Madden, Ehrhardt, Hill, Muñoz

0 nays

4 absent — Crabb, Denny, J. Jones, Staples

WITNESSES: None

BACKGROUND: Article 11 of the Texas Constitution requires that candidates for municipal elections must be elected by a majority vote of the qualified voters.

DIGEST: HJR 131 proposes a constitutional amendment to allow for constructive election of a candidate to a municipal office without the vote of qualified voters if three conditions are met:

- each candidate on the ballot is unopposed;
- the deadline for filing a declaration of write-in candidacy has passed, and
- no proposition is to appear on the ballot.

The proposed constitutional amendment would be submitted to the voters at the November 7, 1995, election. The ballot proposal would read: "The constitutional amendment providing for the constructive election of an unopposed candidate to a municipal office."

SUPPORTERS SAY: Cities should be spared the needless expense and trouble of holding an election if there are no contested races or ballot propositions. A constitutional amendment appears to be necessary to allow this sensible step that would save city taxpayers an unnecessary cost.

OPPONENTS SAY: No apparent opposition.