

Chapter 1096

H.B. No. 3727

AN ACT

relating to vacancies on the governing body of a Type A general-law municipality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 22.008, Local Government Code, is amended to read as follows:

Sec. 22.008. DISQUALIFICATION FROM OFFICE [~~IF MUNICIPAL FUNDS OWED~~]. (a) An officer who is entrusted with the collection or custody of funds belonging to the municipality and who is in default to the municipality may not hold any municipal office until the amount of the default, plus 10 percent interest, is paid to the municipality.

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

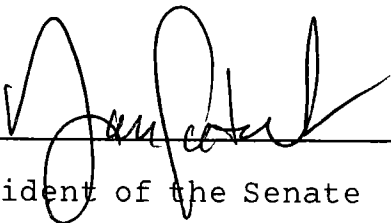
SECTION 2. Section 22.010, Local Government Code, is amended by amending Subsection (a) and adding Subsection (d-1) to read as follows:

(a) If for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members who are present and voting, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Section 11, Article XI, [~~Section 11, of the~~] Texas

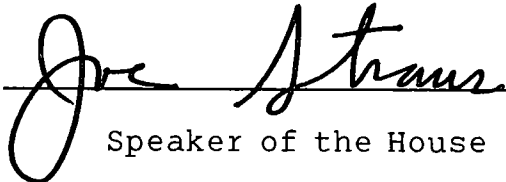
1 Constitution. The mayor may vote on the appointment only if there
2 is a tie.

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

6 SECTION 3. This Act takes effect September 1, 2017.



President of the Senate



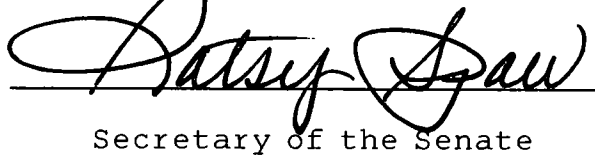
Speaker of the House

I certify that H.B. No. 3727 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 0, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 3727 was passed by the Senate on May 24, 2017, by the following vote: Yeas 31, Nays 0.




Secretary of the Senate

APPROVED: 6-12-2017
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3 PM O'CLOCK

JUN 15 2017


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 8, 2017

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3727 by Phillips (Relating to vacancies on the governing body of a Type A general-law municipality.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code relating to vacancies in a Type A general-law municipality.

The bill would take effect September 1, 2017.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 27, 2017

TO: Honorable Carol Alvarado, Chair, House Committee on Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3727 by Phillips (Relating to vacancies on the governing body of a Type A general-law municipality.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code relating to vacancies in a Type A general-law municipality.

The bill would take effect September 1, 2017.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 17, 2017

TO: Honorable Carol Alvarado, Chair, House Committee on Urban Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3727** by Phillips (Relating to vacancies on the governing body of a Type A general-law municipality.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Local Government Code relating to vacancies in a Type A general-law municipality.

The bill would take effect September 1, 2017.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM