

## ARTICLE VII. - NOMINATIONS AND ELECTIONS<sup>5</sup>

Footnotes:

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**State Law reference**— Elections, V.T.C.A., Election Code § 1.001 et seq.

Section 7.01. - Nominations and elections.

- (a) *Regular Elections*: The general city elections will be held annually on the second Saturday in May, unless otherwise allowed by state law. The Council shall fix the place for holding such an election.
- (b) *Special Elections*: The Council may, by resolution, order a special election for any purpose authorized by law or this Charter; the Council will fix the place and date for holding this type of election as provided by State Law.
- (c) *Publicizing City Elections*: It is the responsibility of the Council to inform the voters as to the time, place, purpose and filing period for the potential candidates, for the upcoming City election at least sixty (60) days prior to such election unless otherwise provided by law. The provisions for early balloting shall also be publicized at this time unless otherwise provided by law. Sample ballots shall be posted outside the City Offices and shall be published in the official city newspaper not less than ten (10) days prior to the election. Council shall devote its best efforts to compliance with this subsection, but Council's failure to comply shall not invalidate any election result.
- (d) *Conduct and Regulation of City Elections*: All City elections shall be governed by the Constitution of the State of Texas, general laws of the State, this Charter, and ordinances of the City, in the order named. Municipal elections shall be conducted by election officials appointed and approved by Council. Sample ballots identical to the voting format for the specific election shall be posted in the voting place for the benefit of the voters.
- (e) *Voter Qualifications*: All duly qualified electors under the laws of the State of Texas who have resided in the City for a minimum of thirty (30) days immediately prior to the election, and who are registered to vote with the appropriate state or county authority, shall be qualified to vote in any City election.

(Election of 5-7-2005; Charter Election of 5-8-2010; Charter Election of [5-9-2015](#).)

**State Law reference**— Uniform election dates, V.T.C.A., Election Code § 41.001.

Section 7.02. - Filing for office.

- (a) *Eligibility to File for Office*: Each candidate for an elective position in the City shall meet the qualifications for office as specified in article II. No candidate may file for more than one (1) office or position per election.
- (b) *Procedure for Filing for Office*: Any qualified person who desires to become a candidate for election shall file an application with the City Secretary, in accordance with the Election Code of the State of Texas. Such an application shall clearly designate the office and position to which the candidate seeks election, and shall contain a sworn statement by the candidate that he or she is fully qualified under the provisions of this Charter to hold the office sought.
- (c) *Public Disclosure Statement*: As part of the application for place on the ballot, candidates shall file with the City Secretary a financial disclosure statement containing the following information. This information shall pertain to the candidate, his or her spouse and dependent children.

- (1) List of all property owned or held in trust within the city limits and extraterritorial jurisdiction of the City. This list shall include location (address) size (general dimensions) and current use.
- (2) List the dollar amount and identify by name and address the source of all fees, salaries or gifts of value exceeding twenty-five dollars (\$25.00) received from companies or individuals under contract with the City during the twelve (12) months prior to filing for public office.
- (3) Ownership of any stock in companies under contract to the City when such stock comprises greater than two (2) percent of the company's total outstanding stock.

(Election of 5-7-2005)

**State Law reference**— Candidates application for office in home-rule municipality, V.T.C.A., Election Code § 143.005.

Section 7.03. - Official ballots.

- (a) *Candidates' Names on Ballots*: The names of all candidates who have filed for office shall be printed on the official ballots without party designation. The order on the ballot of the names of the candidates for each office or position shall be determined by lot in a drawing to be held under the supervision of the City Secretary.
- (b) *Early Voting*: Voting shall be governed by the Election Code of the State of Texas.
- (c) *Write-in Votes*: Write in votes will be governed by the Election Code of the State of Texas. There can be no write-in votes in any run-off elections.

(Election of 5-7-2005)

**State Law reference**— Early voting, V.T.C.A., Election Code § 81.001 et seq.

Section 7.04. - Determination of election results.

- (a) *Canvassing*: Election returns shall be canvassed in accordance with state law.
- (b) *Majority Rules*: The candidate for each position on the ballot who shall have received the majority of votes cast for such position shall be declared elected. In the event that no candidate for a designated position receives a majority of the votes cast for that position in the regular or special election, a run-off election shall be held between the two (2) candidates who receive the greatest number of votes for such position. Notwithstanding the provisions of Section 7.01C [(c)], such a run-off election shall be held not less than twenty (20) days, nor more than thirty (30) days after the canvass of returns from the first election, unless otherwise permitted by State Law, but shall be held no later than the forty-fifth (45th) day following the canvass of the regular election.

**State Law reference**— Canvassing elections, V.T.C.A., Election Code § 67.001 et seq.

Section 7.05. - Taking office.

The City Secretary shall promptly notify all persons elected to office. A candidate who is elected in a regular, special or run-off City election shall, after taking oath of office as prescribed in Article XI, take office, and enter upon his or her duties as provided under Section 2.10 of the Charter.

(Charter Election of 5-8-2010)