

CHAPTER 227

H.B. No. 74

AN ACT

relating to the consolidation of county and municipal maintenance of birth and death records.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Chapter 41, Acts of the 40th Legislature, 1st Called Session, 1927 (Rule 34a et seq., Article 4477, Vernon's Texas Civil Statutes), is amended by adding Section 15 to read as follows:

1523

*Sec. 15. CONSOLIDATION OF COUNTY AND MUNICIPAL MAINTENANCE OF BIRTH AND DEATH RECORDS. (a) If the commissioners court of any county in which there is situated an incorporated city or town with a population greater than 2,499 persons, according to the most recent federal census, shall adopt a resolution in support of the transfer of municipal functions to the county for the maintenance of birth and death records and concomitant duties imposed by law, and if the governing body of such city or town shall subsequently adopt a resolution of concurrence, then such transfer shall occur in an orderly fashion and on a timetable agreeable to both the county and the city or town in question.*

*(b) The commissioners court may not adopt a resolution as described in Subsection (a) hereof, unless the official to whom such responsibilities would be transferred shall attest in writing that he or she is able by way of resources and finances to assume the added responsibilities such transfer would impose.*

*(c) If the commissioners court shall adopt a resolution as described in Subsection (a) hereof and if, after ninety (90) calendar days have elapsed, the governing body of the city or town in question has not adopted a resolution of concurrence as described in Subsection (a) hereof, then the qualified electors of such city or town may circulate a petition to gather signatures of qualified electors thereof in quantity greater than or equal to twenty percent (20%) of the total number of qualified electors of such city or town that participated in the most recent election for the office of mayor. Such petition shall succinctly describe the intention to consolidate county and municipal maintenance of birth and death records and, when signed by the requisite number of qualified electors, shall be deemed equivalent, for purposes of this section, to the adoption of a concurring resolution by the governing body of the city or town in question.*

*(d) The consolidation shall involve the county and only the city or town in question, and nothing in this section shall be construed as altering the apportionment of registration districts established by Section 3, Chapter 41, Acts of the 40th Legislature, 1st Called Session, 1927 (Rule 36a, Article 4477, Vernon's Texas Civil Statutes).*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on March 17, 1987, by a non-record vote. Passed by the Senate on May 14, 1987, by the following vote: Yeas 30, Nays 0.

Approved May 28, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.