

ORDINANCE NO. 08-2023

AN ORDINANCE ADDING CHAPTER 2, "ADMINISTRATION," ARTICLE I, "GENERAL," SECTION 2-6, "TERMINATION OF INACTIVE CAMPAIGN TREASURER APPOINTMENT," OF THE ABILENE MUNICIPAL CODE, AS SET OUT BELOW; AND PROVIDING A SEVERABILITY CLAUSE

WHEREAS, a campaign treasurer may be removed by the filing of a successor or by resignation; and

WHEREAS, the city secretary must comply with state law requirements regarding campaign treasurers who remain active, even after the election has been concluded and the candidate is inactive; and

WHEREAS, state law allows a political subdivision to adopt an ordinance whereby the political subdivision may terminate the campaign treasurer appointment of an inactive candidate.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 2, Article I, Section 2-6 of the Abilene Municipal Code be added as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

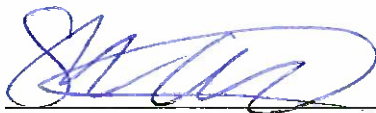
PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force or effect.

PASSED ON FIRST READING this 9th day of February, 2023.

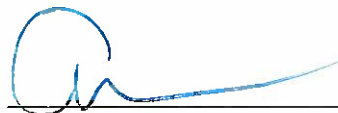
A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on 19th day of February, 2023, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 23rd day of February, 2023, to permit the public to be heard.

PASSED ON SECOND AND FINAL READING this 23rd day of February, 2023.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

Exhibit A

Sec. 2-6. – Termination of Inactive Campaign Treasurer Appointment.

(A) In this section, "inactive candidate" or "inactive political committee" means a candidate or political committee that:

- (1) has not filed a required report under Texas Election Code, Chapter 254 (*Political Reporting*), for more than one year since the last reporting deadline;
- (2) in the case of a candidate, has not been elected to an office for which a candidate is required to file a campaign treasurer appointment with the city clerk; and
- (3) has not filed:
 - (a) a final report under Texas Election Code, Section 254.065 (*Final Report*) or 254.125 (*Final Report of Committee for Supporting or Opposing Candidate or Measure*); or
 - (b) a dissolution report under Texas Election Code, Section 254.126 (*Dissolution Report of Committee for Assisting Officeholder*) or 254.159 (*Dissolution Report*).

(B) The city secretary may terminate the campaign treasurer appointment of an inactive candidate or inactive political committee.

(C) Before the city secretary may terminate a campaign treasurer appointment under this section, the city council must consider and approve the proposed termination in a regularly scheduled open meeting.

(D) Before the city secretary may terminate a campaign treasurer appointment under this section the city secretary must provide written notice to the affected candidate or committee of:

- (1) the proposed termination of the candidate's or committee's campaign treasurer appointment;
- (2) the date, time, and place of the meeting at which the city council will consider the proposed termination; and
- (3) the effect of termination of the candidate's or committee's campaign treasurer appointment.

(E) The termination of a campaign treasurer appointment under this section takes effect on the 30th day after the date of the meeting at which the city council votes to terminate the appointment. Following that meeting, the city secretary shall promptly notify the affected candidate or political committee that the appointment has been terminated. The notice must state the effective date of the termination.