

Bond Case Briefs

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BALLOT INITIATIVE - TEXAS

Dacus v. Parker

Supreme Court of Texas - June 12, 2015 - S.W.3d - 2015 WL 3653295

Voters filed election contest against City, seeking declaration that a drainage systems and streets funding measure was invalid due to use of a misleading proposition on the ballot. The District Court entered summary judgment in favor of City. The Houston Court of Appeals affirmed. Voters' petition for review was granted.

The Supreme Court of Texas held that:

- Supreme Court had jurisdiction to review decision of Court of Appeals with respect to election contest in order to resolve conflict among courts of appeal, and
- Ballot proposition's failure to mention drainage charges to be imposed on most real property owners rendered funding measure invalid.

Failure of ballot proposition for a proposed city charter amendment to mention drainage charges to be imposed on most real property owners across the city rendered drainage systems and streets funding measure invalid. By omitting the drainage charges, the proposition failed to substantially submit the measure with such definiteness and certainty that voters would not be misled.