

Bond Case Briefs

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BALLOT INITIATIVES - TEXAS

Bryant v. Parker

Court of Appeals of Texas, Houston (1st Dist.) - June 25, 2019 - S.W.3d - 2019 WL 2588107

Voters filed election contest, claiming that amendment to city charter providing for changes to city term limits was invalid due to use of misleading proposition on the ballot.

The District Court denied voters' motion for summary judgment and entered summary judgment in city's favor. Voters appealed.

The Court of Appeals held that ballot proposition was not misleading to voters and it stated with sufficient definiteness and certainty the chief features and purpose of the proposed city charter amendment.

Ballot proposition to amend city charter to limit elective officials to serve no more than two four-year terms in same office was not misleading to voters, and it stated with sufficient definiteness and certainty the chief features and purpose of the proposed amendment, though proposition stated amendment would limit length for "all terms" of office to four years, rather than stating "each term," proposition mentioned transition period only in generalized manner, and there was evidence of voters' subjective confusion; city's discretionary choice of wording did not materially impact substance of measure being conveyed, and omission of specific provisions addressing transition to newly-proposed term limits was not material since these details were not chief feature of the amendment.