

## **Proposition L**

Amending Article VIII Initiative, Referendum and Recall of the Charter of the City of Victoria changing the term “qualified voter” to “registered voter”.

## **Measure L**

### ARTICLE VIII. - INITIATIVE, REFERENDUM, RECALL

#### **Section 1. - Initiative power.**

The people of the City of Victoria reserve the power of direct legislation by initiative. In the exercise of such power the people may propose any ordinance, not in conflict with the laws and Constitution of the State of Texas and not in conflict with this Charter, except an ordinance appropriating money or authorizing the levy of taxes. Any ordinance initiated by the people may be submitted to the City Council by petition signed by registered ~~qualified~~ voters of the City of Victoria equal in number to ten percent or more of the registered ~~qualified~~ voters of the City.

#### **Section 2. - Referendum power.**

The people of the City of Victoria reserve the power to approve or reject at the polls any legislation enacted by the City Council which is subject to the initiative process under this Charter, except an ordinance which is enacted for the immediate preservation of the public peace, health, or safety and contains a statement of its urgency, and which is adopted by the favorable votes of four or more members of the City Council. Within 30 days of the effective date of any ordinance which is subject to referendum, a petition signed by registered ~~qualified~~ voters of the City equal in number to ten percent or more of the registered ~~qualified~~ voters of the City may be filed with the City Secretary requesting that any such ordinance be repealed or be submitted to a vote of the people. When any such petition has been certified by the City Secretary as sufficient, the ordinance specified in the petition shall not go into effect, or if it has gone into effect then further action shall be suspended, until and unless the ordinance is approved by a majority of the voters at an election as provided in this Charter.

#### **Section 3. - Recall power.**

The people of the City of Victoria reserve the power to recall any member of the City Council, and the people may exercise such power by filing with the City Secretary a petition, signed by registered ~~qualified~~ voters of the City, equal in number to ten percent or more of the registered ~~qualified~~ voters of the City, demanding removal of a member of the City Council. The petition shall be signed and verified in the manner required in Section 4 of this Article for an initiative petition, shall contain a general statement of the grounds for which removal is sought, and one of the signers of each petition paper shall make and file an affidavit that the statements made in the petition are true. No petition for recall shall be filed against a member of the City Council within

six months after such member takes office, and no member of the City Council shall be subjected to more than one recall election during a term of office.

**Section 5. - Certification on initiative and referendum petitions.**

Within twenty days after an initiative or referendum petition is filed, the City Secretary shall examine the petition and determine whether it contains the requisite number of valid signatures. If a petition contains more than 1000 signatures, the City Secretary may use any reasonable statistical sampling method in determining whether the petition contains the required number of valid signatures, except that the sample may not be less than 25 percent of the total number of signatures appearing on the petition or 1000, whichever is greater. In examining the petition the City Secretary shall write in red ink the letters "D.V." opposite every signature found invalid. The City Secretary need not examine, and shall declare void, any petition paper which does not have attached thereto the affidavit of the person who circulated it as required in Section 4 of this Article. Upon completing examination of the petition, the City Secretary shall certify the result of such examination to the City Council at its next regular meeting stating the number of signers found on the petition registered qualified to vote and the number of signers found not registered qualified to vote. If the certificate of the City Secretary shall show an initiative, referendum, or recall petition to be insufficient, the City Secretary shall notify the person filing the petition, and the petition may be amended within ten days from date of such notice by filing a supplementary petition upon additional papers signed and filed as provided for an original petition. Within ten days after the filing of such amendment, the City Secretary shall examine and certify such amended petition as to its sufficiency. If the amended petition is found insufficient, the City Secretary shall return the petitions to the person who filed them, without prejudice to the filing of a new petition for the same purpose.

**Section 6. - Action of City Council on initiative petition.**

When the City Council receives an authorized initiative petition duly certified by the City Secretary to be sufficient, the City Council shall:

- (a) Pass the initiated ordinance without amendment within sixty days after date of certification to the City Council; or
- (b) Submit the initiated ordinance without amendment to a vote of the registered qualified voters of the City at a regular or special election to be held on the next uniform election date which occurs not less than 60 days after the date of certification of the petition to the City Council; or
- (c) Submit to a vote of the registered qualified voters of the City at such election the initiated ordinance without amendment, and in the alternative an ordinance on the same subject proposed by the City Council.

**Section 7. - Action of City Council on referendum petition.**

When the City Council receives an authorized referendum petition duly certified by the City Secretary to be sufficient, the City Council shall reconsider the referred ordinance, and if upon such reconsideration the ordinance is not repealed, it shall be submitted to a vote of the registered ~~qualified~~ voters of the City at a regular or special election to be held on the next uniform election date which occurs not less than 60 days after the date of certification of the petition by the City Secretary to the City Council.

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