

Senator Paul Bettencourt - SD 7  
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**State of Texas**  
**Texas Senate**



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**Senator Paul Bettencourt passes Bipartisan Ballot Language Bill 22-8 Out of the Texas Senate!**  
*SB 221 sets in statute the standard for language used on ballots to prevent voters being misled in the voting booth*

**Austin, TX** – Senator Paul Bettencourt (R-Houston) passed his Ballot Language bill, Senate Bill 221, out of the Texas Senate with bipartisan support, 22-8 to prevent local governments from misleading voters at the polls with deceptive proposition ballot language, spending taxpayer money to ignore lawfully collected petition signatures, and suppressing petitions signed by those they are sworn to represent. **“In 2021, the Texas Supreme Court reprimanded the city of Austin for ‘deceitful’ ballot language on a police staffing ordinance. Other examples of this problem include the city of San Marcos suing petition organizers and other cities where they refused to count petitions,”** said Senator Bettencourt.

Senator Bettencourt refiled SB 221 after numerous voters and municipalities encountered problems facing various ballot initiatives and charter challenges between 2017 and 2021. In 2017, Lt. Governor Dan Patrick assigned the Senate Intergovernmental Relations Committee to examine the petition and voter referendum processes and to determine if safeguards were necessary. **“But wait, there’s more!”** Testimony from this committee outlined that the city of Houston was reprimanded three times by the Texas Supreme Court over their inability to either draft proper ballot language, or follow proper procedures when responding to a petition process.

**“While SB 221 was heard on the Senate Floor, Senator José Menéndez (D- San Antonio) offered two amendments that I accepted to make it clear that SB 221 would not impact service members overseas voting, and that the Secretary of State answer any request within seven days. This is how to make bill better through bipartisan action,”** stated Senator Bettencourt.

SB 221 does the following:

- Requires clear ballot language that accurately defines the proposition being placed before voters.
- Requires the publishing of the language of charter amendments prior to being placed on a ballot and creates statutory petition requirements that are easily understood by voters.
- Removes restrictions on who can collect signatures and prohibits exclusion of petitions based on illegibility and creates a standard form for use by residents for referendum or recall petitions.
- Provides a cost-effective option for citizens to question proposed charter amendment language via the Texas Secretary of State so they do not have to pursue costly litigation over ballot language.
- When judicial remedies are required, SB 221 allows for a "rocket docket" in state district court for expedited review upon filing of a mandamus petition, and allows a court to rewrite ballot language if the court deems the language inaccurate.
- Prohibits free legal services by entities with lucrative city contracts and ensures that residents who prevail in mandamus actions have access to legal fees from the municipality.
- Provides a “bad actor” provision by removing home-rule municipalities’ authority to write their own ballot language for a period of four years if they have been found in the past to continuously act in bad faith.

**“Citizen’s petitions deserve the right to be voted on in the same language that they are submitted. SB 221 sets up a civil review process to do this before these cases get dumped into the legal system where rebukes of local city governments are common,”** concluded Senator Bettencourt.

This bill now heads to the House where Representative Dennis Paul (R- Houston) will be the sponsor.

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