

**CITY OF SANGER, TEXAS**

**ORDINANCE 06-11-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AUTHORIZING THE TERMINATION OF CAMPAIGN TREASURER APPOINTMENTS BY THE CITY SECRETARY OF INACTIVE CANDIDATES AND INACTIVE POLITICAL COMMITTEES, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Sanger (the “City”) is a home rule municipality regulated by state law and Charter; and

**WHEREAS**, Section 252.0131 of the Texas Election Code provides that City Council may adopt a process by which the City Secretary of the political subdivision may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the City Secretary; and

**WHEREAS**, candidates for City Council and political committees are required to file a Campaign Treasurer Appointment; and

**WHEREAS**, the appointment of a Campaign Treasurer triggers the requirement to file semi-annual campaign finance reports; and

**WHEREAS**, the City Secretary is the local filing authority for said reports; and

**WHEREAS**, the City Council desires to adopt such a process as there are campaign treasurers that remain appointed for inactive candidates and political committees.

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

**SECTION 1.** That the City Council adopts a process by which the City Secretary may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the City Secretary.

**Termination of Campaign Treasurer Appointments by the City Secretary**

The City Secretary may terminate the campaign treasurer appointment of an inactive candidate or political committee.

- (a) For the purpose of this section, a candidate or political committee is defined as inactive if the candidate or committee:

- (1) has never filed or has ceased to file reports under Chapter 254 of the Texas Election Code; or
- (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 authority who is seeking to terminate the candidate's campaign treasurer appointment; and
- (3) has not filed:
  - (a) a final report under Section 254.065 or 254.125 of the Texas Election Code; or
  - (b) a dissolution report under Section 254.126 or 254.159 of the Texas Election Code.

#### Notice of Proposed Termination of Campaign Treasurer Appointment

- (a) Before the City Secretary may consider termination of a campaign treasurer appointment, the City Council must consider the proposed termination in a regularly scheduled open meeting.
- (b) The City Secretary must provide written notice to the affected candidate or committee at least 30 days before the date which the City Secretary will bring the matter before the City Council for approval, and the notice must include:
  - (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.
- (c) The termination of a campaign treasurer appointment under this section shall take effect on the 30<sup>th</sup> day after the date of the meeting at which the City Council votes to terminate the appointment.
- (d) The City Secretary shall promptly notify the affected candidate or political committee that the appointment has been terminated, and the notice must state the effective date of the termination.

**SECTION 2.** That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 3.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

**SECTION 4.** That this Ordinance shall be cumulative of all other City Ordinances and all other provisions of other Ordinances adopted by the City which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

**SECTION 5.** This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such case provides.

**PASSED AND APPROVED** by the City Council of the City of Sanger, Texas, on this 5th day of June, 2023.

**APPROVED:**

*Thomas E. Muir*

**Thomas E. Muir, Mayor**

**ATTEST:**

*Kelly Edwards*

**Kelly Edwards, City Secretary**

**APPROVED TO FORM:**

*Hugh Coleman*

**Hugh Coleman, City Attorney**

