



EDUCATIONAL INFORMATION
CITY OF BRYAN CHARTER AMENDMENT ELECTION
NOVEMBER 8, 2022

The following amendments to the City of Bryan’s Charter have been initiated by the Bryan City Council following a recommendation from the City Attorney to reconcile the Charter with current State law and provide clarification. The City Charter sets the framework for a home rule city such as Bryan, and is, in effect, the City’s constitution. The City Charter may only be amended by a vote of the registered voters of the City. A home rule Charter may be more restrictive than State law; however, the Charter may not contain any provision that is inconsistent with the Constitution or State law. A City Charter may only be amended as frequently as every two years.

WHAT ARE THE PROPOSED AMENDMENTS TO THE BRYAN CITY CHARTER?

PROPOSITION A IS AS FOLLOWS:

Shall Section 5 (l) entitled “City Council. Duties of the Mayor,” of the Bryan City Charter be amended to remove the limitation of “establishment that sells alcoholic beverages” and clarify that the Mayor may order any place of public gathering to be closed during a riot or disaster and may exercise authority granted under the Texas Disaster Act?

Explanation of proposition: As presently worded, this provision may cause confusion by creating a mistaken impression that the Mayor’s emergency authority during a disaster is limited to regulation of gatherings or establishments where alcoholic beverages are sold. If this proposition is adopted, the Charter language will be consistent with current State law, the Texas Disaster Act, as contained in Chapter 418, Texas Government Code, which sets out certain duties and responsibilities of the Mayor during a disaster. This would not apply to locations exempted from closure by order of the Texas Governor during a declared disaster.

There is no cost to the City should this Charter amendment be approved by the voters.

PROPOSITION B IS AS FOLLOWS:

Shall Section 10 (a) of the Bryan City Charter entitled “Initiative. Petition,” be amended to conform citizen petition requirements to existing State law by adding the requirement that a signer of a petition may provide the signer’s date of birth as an alternative to voter registration number and amend to clarify that the circulator of the petition that signed must also be a qualified voter of the City?

Explanation of proposition: This proposed amendment would update the provision related to initiative petitions to make the provision consistent with State law and clarify language. For a petition signature to be valid, the Texas Election Code allows either a voter registration number or a date of birth on the petition. The current City Charter does not provide this option. The current City Charter also sets out that circulators of any initiative petition must be registered voters of the City, and this language modification clarifies that by making the provision easier to understand, without substantive change to the City Charter.

There is no cost to the City should this Charter amendment be approved by the voters.