

Petition FAQs

References: *Texas Local Government Code Chapter 9; San Antonio City Charter Article IV.*

1. **How many signatures need to be on a petition to initiate an ordinance or refer an existing ordinance to the electors?**

The City Charter requires signatures equal to ten percent of the electors qualified to vote at the time of the last regular municipal election (Councilmember election). This number can be found by contacting the [Bexar County Elections Administrator](#).

Note, other state laws may provide for a different number of signatures for a petition. Please consult your legal counsel to determine the number of signatures your petition requires.

2. **How many signatures need to be on a recall petition?**

A petition stating the general grounds on which removal of a Council member is sought shall be signed by qualified voters equal to ten percent of the electors qualified to vote in the City Council District at the time of the last regular municipal election (election of Council members) and filed with the Office of the City Clerk.

3. **How many signatures need to be on a petition to amend the City Charter?**

The Texas Local Government Code, Section 9.004 requires the submission of a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000, whichever number is the smaller.

4. **How long are signatures on a petition valid?**

Petition signatures are valid for 180 days from the date of the signature. They are preserved (i.e., the 180 day clock stops running) on the day the petition is submitted to the City Clerk's Office for sufficiency.

5. **Does the City have a standard form for a petition?**

No, the City does not have a standard form for a petition.

6. **What information is required to be on a petition?**

Each page of a petition is required to have the full text of the proposed or existing legislation, valid signatures and residence address or other description sufficient

to identify the voting precinct of electors. Each signer must sign in ink or indelible pencil.

Petitions must contain the statement of the circulator that they personally circulated the petition, that all of the signatures on the petition pages were made in their presence, and they believe them to be the genuine signatures of the persons whose names they purport to be.

7. **What is the timeline for certification or finding a petition deficient?**

All petition papers must be assembled and filed with the City Clerk as one instrument. The City Clerk determines whether each paper of the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of qualified electors (i.e., valid signatures) within twenty business days after a petition is filed. If any petition paper lacks the circulator statement, then that entire petition paper is held invalid. After this stage, the City Clerk provides a detailed notification of the results (i.e., whether there is a finding of sufficiency or insufficiency after the Clerk's initial review) at the next regular City Council meeting.

If a petition is insufficient to trigger action by the City Council, the petitioners have an additional twenty business days to file a supplementary petition. This is done the same way they filed the original petition.

The City Clerk then has an additional ten business days to examine the petition and either find it sufficient or not. If the petition is insufficient, the City Clerk notifies the petitioners and no further action can be taken on that petition. An insufficient petition does not prohibit petitioners from filing a new petition. Business days do not include weekends and City holidays.

There is no specific due date to file petition papers with the City Clerk. If the petition papers are sufficient **and** sufficiency is verified before the next election is ordered, then the proposed amendment will be on the ballot on the next uniform election date. If the sufficiency is verified *after* the election is ordered, then the measure will be on the ballot for the following uniform election date. Below are some examples to illustrate this process.

May 1, 2021 Election

The May 1, 2021 election must be ordered no later than February 11, 2021. Therefore the petition papers must be verified as sufficient before this date. The submission, review, possible supplementation (i.e., allowing the petitioner to fix any issues with their submission) and certification must occur within 50 business days prior to the February 11, 2021 City Council meeting date. In this example that date would be November 12, 2020, due to various holidays/closure days and Texas Open Meetings Act posting requirements. If this process is not complete by February 11, 2021 then the petition, assuming it is sufficient, will be placed on the ballot on the next uniform election date (i.e., November 2, 2021).

November 2, 2021 Election

The November 2, 2021 election must be ordered no later than August 16, 2021. Therefore the petition papers must be verified as sufficient before this date. The submission, review, possible supplementation (i.e., allowing the petitioner to fix any issues with their submission) and certification must occur within 50 business days prior to August 16, 2021. In this example that date would be June 1, 2021 due to various holidays/closure days and Texas Open Meeting Act posting requirements. The meeting agenda must be posted no later than 9:00 am, Monday, August 9, 2021.*

** Friday, June 18th is a new City Holiday*

8. When does the City Council act on a petition?

A proposed initiative ordinance is considered at a public hearing at the next regular City Council meeting held in accordance with the Texas Open Meetings Act. The City Council must take action on the ordinance not later than sixty days after the date the ordinance was submitted to the Council by the City Clerk.

A referred ordinance is to be reconsidered within thirty days of receipt from the City Clerk, and the City Council must vote whether or not to repeal the ordinance.

The City Council shall, by ordinance, order an election on a petition to amend the City Charter to be held on the first authorized uniform election date proscribed by the Texas Election Code or on the earliest of the date of the next municipal general election or presidential general election that allows sufficient time to comply with other requirements of law. The election must be ordered for a date at least 30 days after the date the ordinance is adopted.

9. What happens if the City Council doesn't pass the initiated ordinance or repeal the referred ordinance?

If the City Council fails to pass the initiated ordinance or passes it in a form different than what was submitted to the Council, or if the City Council fails to repeal the referred ordinance, that ordinance shall be submitted to the electors on the next authorized uniform election date that allows enough time to hold the election in the manner required by law.

10. Can a proposed Charter amendment contain more than one subject?

No. The ballot must be prepared so that a voter can approve or disapprove any one or more amendments without having to approve or disapprove all of the amendments.