

By: Allison

H.B. No. 741

A BILL TO BE ENTITLED

AN ACT

1
2 relating to voter approval of a county or municipal budget that
3 reduces by a certain percentage the amount allocated to provide a
4 fire protection, law enforcement, or emergency medical service.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 140, Local Government Code, is amended
7 by adding Section 140.0047 to read as follows:

8 Sec. 140.0047. ELECTION REQUIRED FOR REDUCTION IN BUDGET
9 FOR PUBLIC SAFETY SERVICES. (a) In this section, "public safety
10 service" means a fire protection, law enforcement, or emergency
11 medical service.

12 (b) If a county or municipality adopts a budget in which the
13 amount of money allocated to provide for a public safety service is
14 less than the amount allocated to provide for that service in the
15 preceding fiscal year by more than five percent, the registered
16 voters of the county or municipality, as applicable, at an election
17 held for that purpose, must determine whether to approve the amount
18 allocated.

19 (c) The governing body of the county or municipality shall
20 order that the election be held in the county or municipality, as
21 applicable, on the earliest date that allows sufficient time to
22 comply with the requirements of other law for holding the election,
23 except Section 41.001(a), Election Code. Notwithstanding Section
24 41.001(a), Election Code, the county or municipality may hold the

1 election on a date other than a uniform election date.

2 (d) If a majority of votes cast in the election favor
3 approving the amount allocated for the public safety service, the
4 budget is approved. If the amount allocated is not approved, the
5 governing body shall amend the budget by allocating for the public
6 safety service an amount for the current fiscal year that is not
7 less than 95 percent of the amount allocated for that service in the
8 preceding fiscal year.

9 (e) For purposes of this section, the amount allocated in a
10 budget to provide a service includes all maintenance, operations,
11 and debt service costs associated with providing the service.

12 SECTION 2. The change in law made by this Act applies only
13 to a budget adopted by a county or municipality on or after the
14 effective date of this Act.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2021.