

By: Hughes

S.B. No. 1357

A BILL TO BE ENTITLED

AN ACT

relating to deadlines associated with proposing and adopting a budget for certain counties.

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

SECTION 1. Section 111.003(a), Local Government Code, is amended to read as follows:

(a) Not later than the 60th day before the first day [~~During the 7th or the 10th month~~] of the fiscal year, [~~as determined by the commissioners court,~~] the county judge, assisted by the county auditor or county clerk, shall prepare a budget to cover all proposed expenditures of the county government for the succeeding fiscal year.

SECTION 2. Section 111.006(a), Local Government Code, is amended to read as follows:

(a) Not later than the 60th day before the first day of the fiscal year [~~When the county judge has completed the preparation of the budget~~], the county judge shall file a copy of the proposed budget with the county clerk.

SECTION 3. Sections 111.007(b) and (c), Local Government Code, are amended to read as follows:

(b) The commissioners court shall hold [~~set~~] the hearing not later than the 10th [~~for a date after the 15th~~] day after [~~of the month next following~~] the day [~~month in which~~] the budget is filed under [~~was prepared in accordance with~~] Section 111.006 [~~111.003,~~

1 ~~Local Government Code~~], but before the date the commissioners court
2 adopts the county's ad valorem tax rate for the current tax year [~~on~~
3 ~~which taxes are levied by the court~~].

4 (c) The commissioners court shall give public notice that it
5 will consider the proposed budget on the date of the hearing. The
6 notice must state the date, time, and location of the hearing. The
7 notice must include, in type of a size at least equal to the type
8 used for other items in the notice, any statement required to be
9 included in the proposed budget under Section 111.003(b). The
10 commissioners court shall give notice under this subsection:

11 (1) not earlier than the 30th day before the date of
12 the hearing; and

13 (2) not later than the 10th day before the date of the
14 hearing.

15 SECTION 4. Section 111.008(a), Local Government Code, is
16 amended to read as follows:

17 (a) After [~~At~~] the conclusion of the public hearing but not
18 later than the 10th day before the first day of the fiscal year, the
19 commissioners court shall take action on the proposed budget. A
20 vote to adopt the budget must be a record vote.

21 SECTION 5. Section 111.033(a), Local Government Code, is
22 amended to read as follows:

23 (a) Not later than the 60th day [~~Within 30 days~~] before the
24 first day of each fiscal year [~~or on or immediately after that first~~
25 ~~day~~], the county auditor shall prepare a budget to cover the
26 proposed expenditures of the county government for that fiscal
27 year.

1 SECTION 6. Section 111.037(a), Local Government Code, is
2 amended to read as follows:

3 (a) Not later than the 60th day before the first day of the
4 fiscal year, the [~~The~~] county auditor shall file a copy of the
5 proposed budget with the county clerk.

6 SECTION 7. Sections 111.038(b) and (c), Local Government
7 Code, are amended to read as follows:

8 (b) The commissioners court shall hold the hearing not later
9 than the 10th [~~on a~~] day [~~within 10 calendar days~~] after the day
10 [~~date~~] the proposed budget is filed under Section 111.037 but
11 before the date the commissioners court adopts the county's ad
12 valorem tax rate for the current tax year [~~the last day of the first~~
13 ~~month of the fiscal year~~].

14 (c) The commissioners court shall publish notice that it
15 will consider the proposed budget on the date of the budget hearing.
16 The notice must be published once in a newspaper of general
17 circulation in the county and must state the date, time, and
18 location of the hearing. The commissioners court shall give notice
19 under this subsection:

20 (1) not earlier than the 30th day before the date of
21 the hearing; and

22 (2) not later than the 10th day before the date of the
23 hearing.

24 SECTION 8. Section 111.039(a), Local Government Code, is
25 amended to read as follows:

26 (a) After [~~At~~] the conclusion of the public hearing but not
27 later than the 10th day before the first day of the fiscal year, the

1 commissioners court shall take action on the proposed budget. A
2 vote to adopt the budget must be a record vote.

3 SECTION 9. The changes in law made by this Act apply to a
4 budget proposed by a county commissioners court for a fiscal year
5 beginning on or after the effective date of this Act.

6 SECTION 10. This Act takes effect immediately if it
7 receives a vote of two-thirds of all the members elected to each
8 house, as provided by Section 39, Article III, Texas Constitution.
9 If this Act does not receive the vote necessary for immediate
10 effect, this Act takes effect September 1, 2021.