

By: Troxclair

H.B. No. 67

A BILL TO BE ENTITLED

AN ACT

relating to the requirements regarding an election to authorize the issuance of general obligation bonds or to approve an increase in an ad valorem tax rate.

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

SECTION 1. Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.0051 to read as follows:

Sec. 41.0051. ELECTION TO ISSUE BONDS OR INCREASE AD VALOREM TAX RATE. (a) An election to authorize the issuance of general obligation bonds or to approve an increase in an ad valorem tax rate shall be held on the November uniform election date.

(b) Notwithstanding Section 41.0011, an election described by Subsection (a) may not be held as an emergency election under that section.

(c) If a law outside this code requires an election described by Subsection (a) to be held on a date other than the November uniform election date, the authority administering the election shall set the election date to comply with this section.

SECTION 2. Chapter 1253, Government Code, is amended by adding Section 1253.004 to read as follows:

Sec. 1253.004. SUPERMAJORITY VOTE OF VOTERS REQUIRED TO APPROVE GENERAL OBLIGATION BONDS. Notwithstanding any other law, a political subdivision may not issue general obligation bonds unless at least two-thirds of the voters voting at the election called to

1 authorize the issuance vote in favor of the issuance.

2 SECTION 3. Sections 281.124(d) and (f), Health and Safety
3 Code, are amended to read as follows:

4 (d) If at least two-thirds [~~a majority~~] of the votes cast in
5 the election favor the proposition, the tax rate for the specified
6 tax year is the rate approved by the voters, and that rate is not
7 subject to Section 26.07, Tax Code. The board shall adopt the tax
8 rate as provided by Chapter 26, Tax Code.

9 (f) Notwithstanding any other law, if at least two-thirds [~~a~~
10 ~~majority~~] of the votes cast in the election favor the proposition, a
11 governing body with approval authority over the district's budget
12 or tax rate may not disapprove the tax rate approved by the voters
13 or disapprove the budget based solely on the tax rate approved by
14 the voters.

15 SECTION 4. Section 1101.254(f), Special District Local Laws
16 Code, is amended to read as follows:

17 (f) This section does not affect the applicability of
18 Section 26.07, Tax Code, to the district's tax rate, except that if
19 at least two-thirds of the district voters approve a tax rate
20 increase under this section, Section 26.07, Tax Code, does not
21 apply to the tax rate for that year.

22 SECTION 5. Sections 26.06(b-1) and (b-3), Tax Code, are
23 amended to read as follows:

24 (b-1) If the proposed tax rate exceeds the no-new-revenue
25 tax rate and the voter-approval tax rate of the taxing unit, the
26 notice must contain a statement in the following form:

1 "NOTICE OF PUBLIC HEARING ON TAX INCREASE

2 "PROPOSED TAX RATE \$_____ per \$100

3 "NO-NEW-REVENUE TAX RATE \$_____ per \$100

4 "VOTER-APPROVAL TAX RATE \$_____ per \$100

5 "The no-new-revenue tax rate is the tax rate for the (current
6 tax year) tax year that will raise the same amount of property tax
7 revenue for (name of taxing unit) from the same properties in both
8 the (preceding tax year) tax year and the (current tax year) tax
9 year.

10 "The voter-approval tax rate is the highest tax rate that
11 (name of taxing unit) may adopt without holding an election to seek
12 voter approval of the rate.

13 "The proposed tax rate is greater than the no-new-revenue tax
14 rate. This means that (name of taxing unit) is proposing to
15 increase property taxes for the (current tax year) tax year.

16 "A public hearing on the proposed tax rate will be held on
17 (date and time) at (meeting place).

18 "The proposed tax rate is also greater than the
19 voter-approval tax rate. If (name of taxing unit) adopts the
20 proposed tax rate, (name of taxing unit) is required to hold an
21 election so that the voters may accept or reject the proposed tax
22 rate. Unless at least two-thirds [~~If a majority~~] of the voters
23 accept [~~reject~~] the proposed tax rate, the tax rate of the (name of
24 taxing unit) will be the voter-approval tax rate. The election will
25 be held on (date of election). You may contact the (name of office
26 responsible for administering the election) for information about
27 voting locations. The hours of voting on election day are (voting

1 hours).

2 "Your taxes owed under any of the tax rates mentioned above
3 can be calculated as follows:

4 "Property tax amount = tax rate x taxable value of your
5 property / 100

6 "(Names of all members of the governing body, showing how
7 each voted on the proposal to consider the tax increase or, if one
8 or more were absent, indicating the absences.)

9 "Visit Texas.gov/PropertyTaxes to find a link to your local
10 property tax database on which you can easily access information
11 regarding your property taxes, including information about
12 proposed tax rates and scheduled public hearings of each entity
13 that taxes your property.

14 "The 86th Texas Legislature modified the manner in which the
15 voter-approval tax rate is calculated to limit the rate of growth of
16 property taxes in the state."

17 (b-3) If the proposed tax rate does not exceed the
18 no-new-revenue tax rate but exceeds the voter-approval tax rate of
19 the taxing unit, the notice must contain a statement in the
20 following form:

21 "NOTICE OF PUBLIC HEARING ON TAX RATE

22 "PROPOSED TAX RATE \$_____ per \$100

23 "NO-NEW-REVENUE TAX RATE \$_____ per \$100

24 "VOTER-APPROVAL TAX RATE \$_____ per \$100

25 "The no-new-revenue tax rate is the tax rate for the (current
26 tax year) tax year that will raise the same amount of property tax
27 revenue for (name of taxing unit) from the same properties in both

1 the (preceding tax year) tax year and the (current tax year) tax
2 year.

3 "The voter-approval tax rate is the highest tax rate that
4 (name of taxing unit) may adopt without holding an election to seek
5 voter approval of the rate.

6 "The proposed tax rate is not greater than the no-new-revenue
7 tax rate. This means that (name of taxing unit) is not proposing to
8 increase property taxes for the (current tax year) tax year.

9 "A public hearing on the proposed tax rate will be held on
10 (date and time) at (meeting place).

11 "The proposed tax rate is greater than the voter-approval tax
12 rate. If (name of taxing unit) adopts the proposed tax rate, (name
13 of taxing unit) is required to hold an election so that the voters
14 may accept or reject the proposed tax rate. Unless at least
15 two-thirds [~~If a majority~~] of the voters accept [~~reject~~] the
16 proposed tax rate, the tax rate of the (name of taxing unit) will be
17 the voter-approval tax rate. The election will be held on (date of
18 election). You may contact the (name of office responsible for
19 administering the election) for information about voting
20 locations. The hours of voting on election day are (voting hours).

21 "Your taxes owed under any of the tax rates mentioned above
22 can be calculated as follows:

23 "Property tax amount = tax rate x taxable value of your
24 property / 100

25 "(Names of all members of the governing body, showing how
26 each voted on the proposal to consider the tax rate or, if one or
27 more were absent, indicating the absences.)

1 "Visit Texas.gov/PropertyTaxes to find a link to your local
2 property tax database on which you can easily access information
3 regarding your property taxes, including information about
4 proposed tax rates and scheduled public hearings of each entity
5 that taxes your property.

6 "The 86th Texas Legislature modified the manner in which the
7 voter-approval tax rate is calculated to limit the rate of growth of
8 property taxes in the state."

9 SECTION 6. Section 26.063(b), Tax Code, is amended to read
10 as follows:

11 (b) This subsection applies only to a taxing unit that is
12 required to hold an election under Section 26.07. In the notice
13 required to be provided by the taxing unit under Section 26.06(b-1)
14 or (b-3), as applicable, the taxing unit shall:

15 (1) add the following to the end of the list of rates
16 included in the notice:

17 "DE MINIMIS RATE \$_____ per \$100";

18 (2) substitute the following for the definition of
19 "voter-approval tax rate": "The voter-approval tax rate is the
20 highest tax rate that (name of taxing unit) may adopt without
21 holding an election to seek voter approval of the rate, unless the
22 de minimis rate for (name of taxing unit) exceeds the
23 voter-approval tax rate for (name of taxing unit).";

24 (3) add the following definition of "de minimis rate":
25 "The de minimis rate is the rate equal to the sum of the
26 no-new-revenue maintenance and operations rate for (name of taxing
27 unit), the rate that will raise \$500,000, and the current debt rate

for (name of taxing unit)."; and

(4) substitute the following for the provision that provides notice that an election is required: "The proposed tax rate is greater than the voter-approval tax rate and the de minimis rate. If (name of taxing unit) adopts the proposed tax rate, (name of taxing unit) is required to hold an election so that the voters may accept or reject the proposed tax rate. Unless at least two-thirds [~~If a majority~~] of the voters accept [~~reject~~] the proposed tax rate, the tax rate of the (name of taxing unit) will be the voter-approval tax rate of the (name of taxing unit). The election will be held on (date of election). You may contact the (name of office responsible for administering the election) for information about voting locations. The hours of voting on election day are (voting hours).".

SECTION 7. Section 26.07(d), Tax Code, is amended to read as follows:

(d) If at least two-thirds [~~a majority~~] of the votes cast in the election favor the proposition, the tax rate for the current year is the rate that was adopted by the governing body.

SECTION 8. Section 26.08(c), Tax Code, is amended to read as follows:

(c) If at least two-thirds [~~a majority~~] of the votes cast in the election favor the proposition, the tax rate for the current year is the rate that was adopted by the governing body.

SECTION 9. The changes in law made by this Act apply only to an election ordered on or after the effective date of this Act. An election ordered before the effective date of this Act is governed

1 by the law in effect on the date the election was ordered, and that
2 law is continued in effect for that purpose.

3 SECTION 10. (a) Except as provided by Subsection (b) of
4 this section, this Act takes effect January 1, 2026.

5 (b) Section 2 of this Act takes effect This Act takes effect
6 on the 91st day after the last day of the legislative session, but
7 only if the constitutional amendment proposed by the 89th
8 Legislature, Regular Session, 2025, to require a supermajority vote
9 to authorize a political subdivision to issue general obligation
10 bonds is approved by the voters. If that amendment is not approved
11 by the voters, Section 2 of this Act has no effect.