

BILL ANALYSIS

Senate Research Center

S.J.R. 30
By: Lindsay
Natural Resources
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Enrolled

DIGEST AND PURPOSE

Currently, water district tax receipts may not be used for the development of parks and recreational facilities. Many counties do not have the necessary funds for the development of parks and recreational facilities. S.J.R. 30 amends the Texas Constitution so that the development of parks and recreational facilities would be recognized as a constitutionally authorized power of water districts, and therefore eligible for tax-backed bond financing.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 59, Article XVI, Texas Constitution, by amending Subsection (a) and adding Subsection (c-1), as follows:

(a) Adds development of parks and recreational facilities to the list of declared public rights and duties for which the legislature shall pass appropriate laws.

(c-1) Authorizes the legislature, in addition and only as provided by this subsection, to authorize conservation and reclamation districts to develop and finance with taxes those types and categories of parks and recreational facilities that were not authorized by this section to be developed and financed with taxes before September 13, 2003. Authorizes the legislature, for development of such parks and recreational facilities, to authorize indebtedness payable from taxes as may be necessary to provide for improvements and maintenance only for a conservation and reclamation district all or part of which is located in certain counties, or for the Tarrant Regional Water District, a water control and improvement district located in whole or in part in Tarrant County. Authorizes all indebtedness to be evidenced by bonds of the conservation and reclamation district, to be issued under regulations as may be prescribed by law. Authorizes the legislature to also authorize the levy and collection within such district of all taxes, equitably distributed, as may be necessary for the payment of the interest and the creation of a sinking fund for the payment of the bonds and for maintenance and improvements to such parks and recreational facilities. Requires the indebtedness to be a lien on the property assessed for the payment of the bonds. Prohibits the legislature from authorizing the issuance of bonds or provide for indebtedness under this subsection against a conservation and reclamation district unless a proposition is first submitted to the qualified voters of the district and the proposition is adopted. Provides that this subsection expands the authority of the legislature with respect to certain conservation and reclamation districts and is not a limitation on the authority of the legislature with respect to conservation and reclamation districts and parks and recreational facilities pursuant to this section as that authority existed before September 13, 2003.

SECTION 2. Provides that the legislature intends by the amendment proposed by Section 1 of this resolution to expand the authority of conservation and reclamation districts with respect to parks and recreational facilities. Provides that the proposed amendment should not be construed as a limitation on the powers of a district as those powers exist immediately before the

amendment takes effect.

SECTION 3. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held September 13, 2003. Requires the ballot to be printed to permit voting for or against the specific proposition.