

By: Hilderbran

H.B. No. 2073

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the ad valorem tax rate of a hospital district created
3 under general or special law.

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

5 SECTION 1. Chapter 285, Health and Safety Code, is amended
6 by adding Subchapter M to read as follows:

7 SUBCHAPTER M. CHANGE IN RATE OF AD VALOREM TAXES

8 Sec. 285.201. ELECTION TO INCREASE MAXIMUM TAX RATE. (a)

9 Registered voters of a hospital district that is authorized to
10 impose ad valorem taxes and that has a maximum tax rate of less than
11 75 cents on the \$100 valuation of all taxable property in the
12 district may file a petition with the secretary of the governing
13 body of the hospital district requesting an election to authorize
14 the increase of that maximum tax rate. The petition must be signed
15 by at least the lesser of:

16 (1) 100 of the registered voters of the district; or

17 (2) the number equal to 15 percent of the registered
18 voters of the district.

19 (b) The petition must state the maximum tax rate to be voted
20 on at the election, which may not exceed 75 cents on the \$100
21 valuation of all taxable property in the district.

22 (c) The governing body of the hospital district by order
23 shall set a time and place to hold a hearing on the petition to

1 increase the maximum tax rate of the district. The governing body
2 shall set a date for the hearing that is not earlier than the 10th
3 day after the date the governing body issues the order.

4 (d) If after the hearing the governing body of the hospital
5 district finds that the petition is in proper form and that an
6 increase of the maximum tax rate would benefit the district, the
7 governing body shall order an election to authorize the increase of
8 the maximum tax rate to the tax rate stated in the petition. The
9 order calling the election must state the:

10 (1) nature of the election, including the proposition
11 that is to appear on the ballot;

12 (2) date of the election;

13 (3) maximum tax rate to be voted on at the election;

14 (4) hours during which the polls will be open; and

15 (5) location of the polling places.

16 (e) The governing body of the hospital district shall give
17 notice of the election by publishing a substantial copy of the
18 election order in a newspaper with general circulation in the
19 district once a week for two consecutive weeks. The first
20 publication must appear before the 35th day before the date set for
21 the election.

22 (f) The ballot for the election shall be printed to permit
23 voting for or against the proposition: "The increase by the
24 _____ (name of district) Hospital District of the rate of
25 annual taxes imposed for hospital purposes to a rate not to exceed
26 _____ (insert the amount prescribed by the petition, not to
27 exceed 75 cents) on each \$100 valuation of all taxable property in

1 the district."

2 (g) The election shall be held after the 45th day and on or
3 before the 60th day after the date on which the election is ordered.

4 (h) If the majority of the votes cast in the district favor
5 the proposition, the maximum tax rate of the district is increased
6 to the tax rate stated in the petition.

7 (i) An election under this subchapter shall be held on the
8 first Tuesday after the first Monday in November.

9 Sec. 285.202. EXPIRATION. This subchapter expires
10 September 1, 2008.

11 SECTION 2. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2003.