

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  
24 increase the maximum tax rate of the district. The governing body

1 shall set a date for the hearing that is not earlier than the 10th  
2 day after the date the governing body issues the order.

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

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

11 (2) date of the election;

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

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

14 (5) location of the polling places.

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

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

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

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

6       (i) Section 41.001(a), Election Code, does not apply to an  
7 election held under this section.

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