

By: Janek, Lindsay

S.B. No. 1625

A BILL TO BE ENTITLED

AN ACT

relating to the transfer of powers and duties and the allocation of revenue of certain sports and community venue districts.

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

ARTICLE 1. REFERENDUM AFFECTING CERTAIN SPORTS AND COMMUNITY VENUE DISTRICTS

SECTION 1.01. APPLICABILITY. This article applies only to a venue district created under Chapter 335, Local Government Code, by one municipality that has a population of more than 1.9 million and one county that has a population of more than 3.3 million.

SECTION 1.02. DEFINITIONS. In this article:

(1) "Board" means a board of directors of a district.

(2) "District" means a venue district created under Chapter 335, Local Government Code.

(3) "Tertiary care account" means the account created under Section 46.003, Health and Safety Code.

SECTION 1.03. REFERENDUM. (a) A board shall order a district-wide referendum on the question of whether the commissioners court of the county that created the district shall exercise the powers and assume the duties of the district and whether any revenue of the district that exceeds the combined total of the amount necessary to discharge any obligations of the district issued before January 1, 2003, and the amount of \$500,000 for actual and necessary expenses of the presiding officer and

1 members of the board shall be deposited in the tertiary care account  
2 to be divided equally among level I trauma centers in the county  
3 that created the district.

4 (b) The ballot shall be printed to permit voting for or  
5 against the proposition: "Whether the commissioners court of  
6 \_\_\_\_\_ (name of county) should exercise the powers and assume  
7 the duties of \_\_\_\_\_ (name of venue district) and whether any  
8 revenue of \_\_\_\_\_ (name of venue district) that exceeds the  
9 combined total of the amount necessary to discharge any obligations  
10 of \_\_\_\_\_ (name of venue district) issued before January 1,  
11 2003, and the amount of \$500,000 for actual and necessary expenses  
12 of the presiding officer and members of the board of directors of  
13 the \_\_\_\_\_ (name of venue district) should be deposited in the  
14 tertiary care account to be divided equally among level I trauma  
15 centers in \_\_\_\_\_ (name of county)."

16 (c) Notwithstanding Chapter 335, Local Government Code, if  
17 a majority of the votes cast in a referendum ordered under  
18 Subsection (a) of this section approve the transfer of powers and  
19 duties and the allocation of revenue as described by Subsection (a)  
20 of this section:

21 (1) the commissioners court of the county that created  
22 the district shall exercise the powers and assume the duties of the  
23 district;

24 (2) the board shall continue to exist for the purpose  
25 of marketing the existing venues of the district;

26 (3) any revenue of the district that exceeds the  
27 amount necessary to discharge any obligations of the district

1 issued before January 1, 2003, and \$500,000 for actual and  
2 necessary expenses of the presiding officer and members of the  
3 board shall be deposited in the tertiary care account; and

4 (4) the comptroller of public accounts shall  
5 distribute any revenue of the district deposited in the tertiary  
6 care account equally among level I trauma centers in the county that  
7 created the district.

8 (d) At the end of each fiscal year, a commissioners court  
9 exercising the powers of a district shall determine the amount of  
10 revenue required to be deposited in the tertiary care account under  
11 Subsection (c)(3) of this section and shall make the required  
12 allocation.

13 (e) A referendum ordered under Subsection (a) of this  
14 section shall be held on the next uniform election date authorized  
15 by Section 41.001(a), Election Code, that occurs after the  
16 effective date of this article and that is at least 20 days after  
17 the date of the order calling the referendum.

18 ARTICLE 2. POWERS AND DUTIES AND ALLOCATION OF REVENUE OF CERTAIN  
19 SPORTS AND COMMUNITY VENUE DISTRICTS

20 SECTION 2.01. AMENDMENT. Subchapter E, Chapter 335, Local  
21 Government Code, is amended by adding Section 335.076 to read as  
22 follows:

23 Sec. 335.076. REFERENDUM. Notwithstanding any other  
24 provision of this chapter, if a referendum on the issue of the  
25 transfer of powers and duties and the allocation of revenue of a  
26 district is mandated by the legislature and is approved by a  
27 majority of the votes cast, the powers and duties of the district

1 shall be transferred and the revenue of the district shall be  
2 allocated in the manner provided by the referendum.

3 SECTION 2.02. AMENDMENT. Section 46.003, Health and Safety  
4 Code, is amended by amending Subsections (a) and (f) and adding  
5 Subsection (g) to read as follows:

6 (a) The tertiary care account is an account in the state  
7 treasury. Except as provided by Subsections [~~Subsection~~] (e) and  
8 (g), money in the account may be appropriated only to the department  
9 for the purposes of this chapter.

10 (f) Except as provided by Subsections [~~Subsection~~] (e) and  
11 (g), the account shall be allocated for payment to tertiary care  
12 facilities and level IV trauma centers for unreimbursed tertiary  
13 medical services and stabilization services, as provided for in  
14 Sections 46.005 and 46.006.

15 (g) Any revenue of a venue district created under Chapter  
16 335, Local Government Code, by one municipality that has a  
17 population of more than 1.9 million and one county that has a  
18 population of more than 3.3 million that is deposited in the account  
19 shall be distributed equally among level I trauma centers in the  
20 county that adopted the order creating the venue district.

21 ARTICLE 3. EFFECTIVE DATE

22 SECTION 3.01. EFFECTIVE DATE. This Act takes effect  
23 immediately if it receives a vote of two-thirds of all the members  
24 elected to each house, as provided by Section 39, Article III, Texas  
25 Constitution. If this Act does not receive the vote necessary for  
26 immediate effect, this Act takes effect September 1, 2003.