

BILL ANALYSIS

H.J.R. 98
By: Menendez
Local Government Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas law currently provides for the establishment of library districts in order to facilitate the creation and financing of public libraries in rural and suburban areas of the state. The current statute places the responsibility of executing the steps necessary for the creation or expansion of such a district with the county commissioners. The current statute also provides for a five person elected board of trustees and permits the use of a local sales tax to finance the construction, operation, and maintenance of library facilities.

Large municipal public library systems such as the one operated by the City of San Antonio face significant challenges in adequately serving the public's needs. Currently, the City of San Antonio and its taxpayers bear about 90 percent of the cost of operating and maintaining its public library system. The city also bears the cost of new facilities as it seeks to meet ever growing demands on the system.

In a few instances, other municipalities in Bexar County have sought to improve accessibility to services by developing their own library facilities, but for the most part the San Antonio public library system is called upon to serve the needs of the entire Bexar County region. New legislation is needed to provide the statutory authority necessary to enable the development of a library system that can better serve the needs of the entire county, distribute the costs of such a system more equitably, and provide adequate funding for the system.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Article III, Texas Constitution, by adding Section 48-d, to provide that the legislature may, by law, authorize a library district to impose an ad valorem tax on property located in the district at a rate not to exceed 15 cents per \$100 valuation. Prohibits a tax from being imposed under this section unless the majority of the library district voters voting at an election held for that purpose approve the tax.

SECTION 2. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held on November 8, 2005. Requires the ballot to be printed to permit voting for or against the specific proposition.

EFFECTIVE DATE

Requires the proposed constitutional amendment to be submitted to the voters at an election to be held on November 8, 2005.