

By: Talton

H.B. No. 2800

A BILL TO BE ENTITLED

AN ACT

relating to the dissolution of certain sports and community venues.

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

SECTION 1. Chapter 335, Local Government Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. DISSOLUTION

Sec. 335.151. APPLICABILITY. This subchapter applies only to a district located in whole or in part in a county with a population of three million or more.

Sec. 335.152. PETITION. Before a district may be dissolved, a petition requesting an election on the question of dissolving the district must be presented to the county judge of each county in which the district is located and must be signed by either:

(1) a majority of the governing body of at least one political subdivision that created the district; or

(2) at least 10 percent of the total number of persons voting in the most recent county election in each county in which the district is located.

Sec. 335.153. ELECTION ORDER AND BALLOT. (a) Each county judge receiving a valid petition shall:

(1) issue an order for:

(A) one district-wide election to be held on the same day in each county; or

1 (B) a separate election in each political
2 subdivision that created the district on the same day; and

3 (2) give notice of the election.

4 (b) The ballot in the election shall be printed to permit
5 voting for or against the proposition: "Dissolution of the
6 _____ (name of) Venue District."

7 (c) The board may not spend tax revenue or use any assets of
8 the district to influence public opinion on the election
9 proposition.

10 Sec. 335.154. ELECTION RESULTS. (a) The county judge of
11 each county shall canvass the returns of the election in the judge's
12 county. The board shall determine the results for the district
13 based on each county's returns.

14 (b) If a majority of the total votes cast in the district
15 favor dissolving the district, each commissioners court shall
16 declare the results and the district is dissolved as provided by
17 this subchapter.

18 Sec. 335.155. DISSOLUTION BY JOINT RESOLUTION. The
19 governing bodies of the political subdivisions that created the
20 district by joint resolution may dissolve the district by
21 agreement.

22 Sec. 335.156. EFFECTIVE DATE OF DISSOLUTION. If the
23 district is dissolved by election or by joint resolution, the
24 district is dissolved at the earlier of the date:

25 (1) an approved venue project is completed; or

26 (2) a regular season game of the primary tenant of an
27 approved venue project is held.

1 Sec. 335.157. DISPOSITION OF AFFAIRS OF DISSOLVED DISTRICT.

2 (a) Not later than 30 days after the effective date of the
3 dissolution, the governing bodies of the political subdivisions
4 that created the district shall dispose of the assets of the
5 district by agreement.

6 (b) If the district was created by a county with a
7 population of more than three million and a municipality with a
8 population of more than 1.2 million, and the municipality and
9 county have not reached an agreement under Subsection (a):

10 (1) the county shall oversee and have control and
11 title of the assets of an approved venue project that has a seating
12 capacity of 45,000 or more seats at the time of dissolution and that
13 is closest to the major convention center in the county;

14 (2) the municipality shall oversee and have control
15 and title of the assets of an approved venue project that has a
16 seating capacity of less than 25,000 seats at the time of
17 dissolution and is closest to the major municipal office building;
18 and

19 (3) the municipality and county shall jointly oversee
20 and have control and title of the assets of an approved venue
21 project that has 25,000 or more seats but less than 45,000 seats at
22 the time of dissolution.

23 (c) The commissioners court as the successor to the
24 district, or the comptroller of public accounts by agreement with
25 the commissioners court, shall execute all duties related to the
26 imposition and collection of taxes in the territory of the former
27 district to pay the bonds or other obligations of the former

1 district. The bonds or other obligations shall be paid off as
2 quickly as possible. The bonds or other obligations are not a debt
3 of and do not create a claim for payment against the revenue or
4 property of the county, other than the revenue sources pledged and
5 an approved venue project for which the bonds are issued.

6 SECTION 2. This Act takes effect September 1, 2005.