

By: Janek

S.B. No. 1730

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the use of ad valorem taxes by a municipality or county  
3 for a sports and community venue project.

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

5 SECTION 1. Subchapter B, Chapter 334, Local Government  
6 Code, is amended by adding Section 334.0241 to read as follows:

7 Sec. 334.0241. ELECTION ON USE OF AD VALOREM TAXES.

8 (a) The governing body of a municipality or county imposing a  
9 hotel occupancy tax under Subchapter H may order an election on the  
10 question of approving the use of revenue derived from ad valorem  
11 taxes to finance a venue project.

12 (b) The ballot at the election held under this section must  
13 be printed to permit voting for or against the proposition:

14 "Authorizing \_\_\_\_\_ (insert name of municipality or  
15 county) to use an amount not to exceed \_\_\_\_\_ (insert  
16 percentage of property tax revenue or dollar amount of revenue to be  
17 used) of the revenue derived from the \_\_\_\_\_ (insert "county" or  
18 "municipal") property tax, in addition to the hotel occupancy tax  
19 and any other applicable taxes, for the purpose of financing the  
20 \_\_\_\_\_ (describe the venue project)."

21 (c) If a majority of the votes cast at the election under  
22 this section favor the use of revenue derived from ad valorem taxes  
23 to finance a venue project, the municipality or county shall  
24 annually deposit an amount not to exceed the authorized amount of ad

1 valorem tax revenue in the venue project fund of the municipality or  
2 county and may use that amount to finance the venue project.

3 SECTION 2. Subsection (f), Section 334.041, Local  
4 Government Code, is amended to read as follows:

5 (f) A municipality or county may not use revenue derived  
6 from ad valorem taxes to construct, operate, maintain, or renovate  
7 a venue that is part of an approved venue project. This provision  
8 does not apply to:

9 (1) a venue authorized under Section 334.001(4)(D) or  
10 (F); or

11 (2) a county or municipality for which the use of  
12 revenue derived from ad valorem taxes to finance a venue project is  
13 approved at an election held under Section 334.0241.

14 SECTION 3. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2005.