

By: Janek

S.B. No. 1730

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the use of ad valorem taxes for municipal or county  
3 venue projects under Chapter 334, Texas Local Government Code.

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

5 SECTION 1. Section 334.041, Texas Local Government Code, is  
6 amended to read as follows:

7 Sec. 334.041. GENERAL POWERS. (a) A municipality or  
8 county may perform any act necessary to the full exercise of the  
9 municipality's or county's powers under this chapter.

10 (b) A municipality or county may acquire, sell, lease,  
11 convey, or otherwise dispose of property or an interest in  
12 property, including an approved venue project, under terms and  
13 conditions determined by the municipality or county. In a  
14 transaction with another public entity that is made as provided by  
15 this subsection, the public purpose found by the legislature under  
16 Section 334.044 is adequate consideration for the municipality or  
17 county and the other public entity.

18 (c) A municipality or county may contract with a public or  
19 private person, including a sports team, club, organization, or  
20 other entity to:

21 (1) plan, acquire, establish, develop, construct, or  
22 renovate an approved venue project; or

23 (2) perform any other act the municipality or county  
24 is authorized to perform under this chapter, other than conducting

1 an election under this chapter.

2 (d) A municipality or county may contract with or enter into  
3 an interlocal agreement with a school district, junior or community  
4 college district, or an institution of higher education as defined  
5 by Section 61.003, Education Code, for a purpose described by  
6 Subsection (c). The contract or interlocal agreement may provide  
7 for joint ownership and operation or joint use.

8 (e) The competitive bidding laws, including Chapter 271, do  
9 not apply to the planning, acquisition, establishment,  
10 development, construction, or renovation of an approved venue  
11 project under this chapter.

12 (f) A municipality or county may not use revenue derived  
13 from ad valorem taxes to construct, operate, maintain, or renovate  
14 a venue that is part of an approved venue project unless the  
15 municipality or county has the authority to construct, operate,  
16 maintain or renovate the particular type of venue through a  
17 separate statute that authorizes an ad valorem tax for that purpose  
18 and the levy of such an ad valorem tax is approved at an election  
19 held in accordance with such statute. This provision does not apply  
20 to a venue authorized under Section 334.001(4)(D) or (F).

21 SECTION 2. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2005.