

BILL ANALYSIS

H.B. 3870
By: Raymond
Local Government Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

An emergency services district (ESD) is a special district, established under Article III, Section 48-e, Texas Constitution, operating under Chapter 775, Health & Safety Code, to provide fire suppression and/or health and safety related services to persons and property within its boundaries. This bill sets forth certain provisions relating to emergency services districts as follows: enabling districts to call for an election to establish a sales and use tax by excluding any portion of the district where the maximum allowable sales and use tax already exists.

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.

(A) Amends Section 775.0751(c) to make reference to an exception set forth under new subparagraph(d);

(B) Adds Section 775.0751(d) to provide that a district that already has an area in its territory where other political jurisdictions have previously imposed sales and use taxes which total the maximum allowable two percent, may adopt a sales and use tax at an election, provided that the district excludes from the election and the applicability of the proposed sales and use tax any territory in the district where the sales and use tax is then at two percent;

(C) Amends and re-letters Section 775.0751(e) to conform the subsection to the revision.

EFFECTIVE DATE

This Act takes effect on September 1, 2007.