

By: Hill

H.B. No. 3195

A BILL TO BE ENTITLED

AN ACT

relating to the requirements of a municipal or county budget that raises more property taxes than in the previous year's budget.

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

SECTION 1. Section 102.005, Local Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A proposed budget that will require raising more revenue from property taxes than in the previous year must contain a cover page with the following statement in 18-point or larger type: "This budget will raise more total property taxes than last year's budget by (insert total dollar amount of increase and percentage increase), and of that amount (insert amount computed by multiplying the proposed tax rate by the value of new property added to the roll) is tax revenue to be raised from new property added to the tax roll this year."

(c) The proposed budget shall be available for inspection by any person [taxpayer]. If the municipality maintains an Internet website, the municipal clerk shall take action to ensure that the proposed budget is posted on the website.

SECTION 2. Sections 102.006(a) and (c), Local Government Code, are amended to read as follows:

(a) The governing body of a municipality shall hold a public hearing on the proposed budget. Any person ~~[taxpayer of the~~

1 ~~municipality]~~ may attend and may participate in the hearing.

2 (c) The governing body shall provide for public notice of  
3 the date, time, and location of the hearing. The notice must  
4 include, in type of a size at least equal to the type used for other  
5 items in the notice, any statement required to be included in the  
6 proposed budget under Section 102.005(b).

7 SECTION 3. Section 102.0065, Local Government Code, is  
8 amended by adding Subsection (d) to read as follows:

9 (d) Notice under this section must include, in type of a  
10 size at least equal to the type used for other items in the notice,  
11 any statement required to be included in the proposed budget under  
12 Section 102.005(b).

13 SECTION 4. Section 102.007, Local Government Code, is  
14 amended by adding Subsection (c) to read as follows:

15 (c) Adoption of a budget that will require raising more  
16 revenue from property taxes than in the previous year requires a  
17 separate vote of the governing body to ratify the property tax  
18 increase reflected in the budget. A vote under this subsection is  
19 in addition to and separate from the vote to adopt the budget or a  
20 vote to set the tax rate required by Chapter 26, Tax Code, or other  
21 law.

22 SECTION 5. Section 102.008, Local Government Code, is  
23 amended to read as follows:

24 Sec. 102.008. APPROVED BUDGET FILED WITH MUNICIPAL CLERK:  
25 POSTING ON INTERNET. On final approval of the budget by the  
26 governing body of the municipality, the governing body shall:

27 (1) file the budget with the municipal clerk; and

1           (2) if the municipality maintains an Internet website,  
2 take action to ensure that a copy of the budget is posted on the  
3 website.

4           SECTION 6. Section 102.011, Local Government Code, is  
5 amended to read as follows:

6           Sec. 102.011. CIRCUMSTANCES UNDER WHICH CHARTER PROVISIONS  
7 CONTROL. If a municipality has already adopted charter provisions  
8 that require the preparation of an annual budget covering all  
9 municipal expenditures and if the municipality conducts a public  
10 hearing on the budget as provided by Section 102.006 and otherwise  
11 complies with the provisions of this chapter relating to property  
12 tax increases, the charter provisions control. After the budget  
13 has been finally prepared and approved, a copy of the budget and the  
14 amendments to the budget shall be filed with the county clerk, as  
15 required for other budgets under this chapter.

16           SECTION 7. Section 111.003, Local Government Code, is  
17 amended to read as follows:

18           Sec. 111.003. ANNUAL BUDGET REQUIRED. (a) During the 7th  
19 or the 10th month of the fiscal year, as determined by the  
20 commissioners court, the county judge, assisted by the county  
21 auditor or county clerk, shall prepare a budget to cover all  
22 proposed expenditures of the county government for the succeeding  
23 fiscal year.

24           (b) A proposed budget that will require raising more revenue  
25 from property taxes than in the previous year must contain a cover  
26 page with the following statement in 18-point or larger type: "This  
27 budget will raise more total property taxes than last year's budget

1 by (insert total dollar amount of increase and percentage  
2 increase), and of that amount (insert amount computed by  
3 multiplying the proposed tax rate by the value of new property added  
4 to the roll) is tax revenue to be raised from new property added to  
5 the tax roll this year."

6 SECTION 8. Section 111.006(b), Local Government Code, is  
7 amended to read as follows:

8 (b) The copy of the proposed budget shall be available for  
9 inspection by any person ~~[taxpayer]~~. If the county maintains an  
10 Internet website, the county clerk shall take action to ensure that  
11 the proposed budget is posted on the website.

12 SECTION 9. Sections 111.007(a) and (c), Local Government  
13 Code, are amended to read as follows:

14 (a) The commissioners court shall hold a public hearing on  
15 the proposed budget. Any person ~~[taxpayer of the county]~~ may attend  
16 and may participate in the hearing.

17 (c) The commissioners court shall give public notice that it  
18 will consider the proposed budget on the date of the hearing. The  
19 notice must state the date, time, and location of the hearing. The  
20 notice must include, in type of a size at least equal to the type  
21 used for other items in the notice, any statement required to be  
22 included in the proposed budget under Section 111.003(b).

23 SECTION 10. Section 111.0075, Local Government Code, is  
24 amended by adding Subsection (d) to read as follows:

25 (d) Notice under this section must include, in type of a  
26 size at least equal to the type used for other items in the notice,  
27 any statement required to be included in the proposed budget under

1 Section 111.003(b).

2 SECTION 11. Section 111.008, Local Government Code, is  
3 amended by adding Subsection (c) to read as follows:

4 (c) Adoption of a budget that will require raising more  
5 revenue from property taxes than in the previous year requires a  
6 separate vote of the commissioners court to ratify the property tax  
7 increase reflected in the budget. A vote under this subsection is  
8 in addition to and separate from the vote to adopt the budget or a  
9 vote to set the tax rate required by Chapter 26, Tax Code, or other  
10 law.

11 SECTION 12. Section 111.009, Local Government Code, is  
12 amended to read as follows:

13 Sec. 111.009. APPROVED BUDGET FILED WITH COUNTY CLERK:  
14 POSTING ON INTERNET. On final approval of the budget by the  
15 commissioners court, the court shall:

16 (1) file the budget with the county clerk; and  
17 (2) if the county maintains an Internet website, take  
18 action to ensure that a copy of the budget is posted on the website.

19 SECTION 13. Section 111.033, Local Government Code, is  
20 amended to read as follows:

21 Sec. 111.033. ANNUAL BUDGET REQUIRED. (a) On or  
22 immediately after the first day of each fiscal year, the county  
23 auditor shall prepare a budget to cover the proposed expenditures  
24 of the county government for that fiscal year.

25 (b) A proposed budget that will require raising more revenue  
26 from property taxes than in the previous year must contain a cover  
27 page with the following statement in 18-point or larger type: "This

1 budget will raise more total property taxes than last year's budget  
2 by (insert total dollar amount of increase and percentage  
3 increase), and of that amount (insert amount computed by  
4 multiplying the proposed tax rate by the value of new property added  
5 to the roll) is tax revenue to be raised from new property added to  
6 the tax roll this year."

7 SECTION 14. Section 111.037(b), Local Government Code, is  
8 amended to read as follows:

9 (b) The copy of the proposed budget shall be available for  
10 public inspection by any person ~~[taxpayer]~~. If the county  
11 maintains an Internet website, the county clerk shall take action  
12 to ensure that the proposed budget is posted on the website.

13 SECTION 15. Section 111.038, Local Government Code, is  
14 amended by amending Subsection (a) and adding Subsection (d) to  
15 read as follows:

16 (a) The commissioners court shall hold a public hearing on  
17 the proposed budget. Any person ~~[taxpayer of the county]~~ may attend  
18 and may participate in the hearing.

19 (d) Notice under this section must include, in type of a  
20 size at least equal to the type used for other items in the notice,  
21 any statement required to be included in the proposed budget under  
22 Section 111.033(b).

23 SECTION 16. Section 111.0385, Local Government Code, is  
24 amended by adding Subsection (d) to read as follows:

25 (d) Notice under this section must include, in type of a  
26 size at least equal to the type used for other items in the notice,  
27 any statement required to be included in the proposed budget under

1 Section 111.033(b).

2 SECTION 17. Section 111.039, Local Government Code, is  
3 amended by adding Subsection (c) to read as follows:

4 (c) Adoption of a budget that will require raising more  
5 revenue from property taxes than in the previous year requires a  
6 separate vote of the commissioners court to ratify the property tax  
7 increase reflected in the budget. A vote under this subsection is  
8 in addition to and separate from the vote to adopt the budget or a  
9 vote to set the tax rate required by Chapter 26, Tax Code, or other  
10 law.

11 SECTION 18. Section 111.040, Local Government Code, is  
12 amended to read as follows:

13 Sec. 111.040. APPROVED BUDGET FILED WITH OFFICERS: POSTING  
14 ON INTERNET. On final approval of the budget by the commissioners  
15 court, the court shall:

16 (1) file a copy of the budget with the county auditor  
17 and the county clerk; and

18 (2) if the county maintains an Internet website, take  
19 action to ensure that a copy of the budget is posted on the website.

20 SECTION 19. Section 111.067, Local Government Code, is  
21 amended by adding Subsection (d) to read as follows:

22 (d) Notice under this section must include, in type of a  
23 size at least equal to the type used for other items in the notice,  
24 any statement required to be included in the proposed budget under  
25 Section 111.033(b).

26 SECTION 20. This Act applies only to a budget adopted on or  
27 after the effective date of this Act.

1           SECTION 21.   This Act takes effect September 1, 2007.