

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)."

(c) The proposed budget shall be available for inspection by any person ~~[taxpayer]~~.

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

(c) The governing body shall provide for public notice of the date, time, and location of the hearing. The notice must include, in type of a size at least equal to the type used for other items in the notice, any statement required to be included in the

1 proposed budget under Section 102.005(b).

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

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

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

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

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

19 Sec. 102.011. CIRCUMSTANCES UNDER WHICH CHARTER PROVISIONS
20 CONTROL. If a municipality has already adopted charter provisions
21 that require the preparation of an annual budget covering all
22 municipal expenditures and if the municipality conducts a public
23 hearing on the budget as provided by Section 102.006 and otherwise
24 complies with the provisions of this chapter relating to property
25 tax increases, the charter provisions control. After the budget
26 has been finally prepared and approved, a copy of the budget and the
27 amendments to the budget shall be filed with the county clerk, as

1 required for other budgets under this chapter.

2 SECTION 6. Section 111.003, Local Government Code, is
3 amended to read as follows:

4 Sec. 111.003. ANNUAL BUDGET REQUIRED. (a) During the 7th
5 or the 10th month of the fiscal year, as determined by the
6 commissioners court, the county judge, assisted by the county
7 auditor or county clerk, shall prepare a budget to cover all
8 proposed expenditures of the county government for the succeeding
9 fiscal year.

10 (b) A proposed budget that will require raising more revenue
11 from property taxes than in the previous year must contain a cover
12 page with the following statement in 18-point or larger type: "This
13 budget will raise more total property taxes than last year's budget
14 by (insert total dollar amount of increase and percentage
15 increase)."

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

18 (b) The copy of the proposed budget shall be available for
19 inspection by any person ~~[taxpayer]~~.

20 SECTION 8. Sections 111.007(a) and (c), Local Government
21 Code, are amended to read as follows:

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

25 (c) The commissioners court shall give public notice that it
26 will consider the proposed budget on the date of the hearing. The
27 notice must state the date, time, and location of the hearing. The

1 notice must include, in type of a size at least equal to the type
2 used for other items in the notice, any statement required to be
3 included in the proposed budget under Section 111.003(b).

4 SECTION 9. Section 111.0075, Local Government Code, is
5 amended by adding Subsection (d) to read as follows:

6 (d) Notice under this section must include, in type of a
7 size at least equal to the type used for other items in the notice,
8 any statement required to be included in the proposed budget under
9 Section 111.003(b).

10 SECTION 10. Section 111.008, Local Government Code, is
11 amended by adding Subsection (c) to read as follows:

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

19 SECTION 11. 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)."

4 SECTION 12. Section 111.037(b), Local Government Code, is
5 amended to read as follows:

6 (b) The copy of the proposed budget shall be available for
7 public inspection by any person ~~[taxpayer]~~.

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

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

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

18 SECTION 14. Section 111.0385, Local Government Code, is
19 amended by adding Subsection (d) to read as follows:

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

24 SECTION 15. Section 111.039, Local Government Code, is
25 amended by adding Subsection (c) to read as follows:

26 (c) Adoption of a budget that will require raising more
27 revenue from property taxes than in the previous year requires a

1 separate vote of the commissioners court to ratify the property tax
2 increase reflected in the budget. A vote under this subsection is
3 in addition to and separate from the vote to adopt the budget or a
4 vote to set the tax rate required by Chapter 26, Tax Code, or other
5 law.

6 SECTION 16. Section 111.067, Local Government Code, is
7 amended by adding Subsection (d) to read as follows:

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

12 SECTION 17. This Act applies only to a budget adopted on or
13 after the effective date of this Act.

14 SECTION 18. This Act takes effect September 1, 2007.