

By: Hinojosa S.B. No. 1889
(In the Senate - Filed March 9, 2007; March 22, 2007, read first time and referred to Committee on Intergovernmental Relations; April 27, 2007, reported favorably by the following vote: Yeas 4, Nays 0; April 27, 2007, sent to printer.)

A BILL TO BE ENTITLED
AN ACT

relating to the use of sales tax revenue to pay or secure certain municipal public securities.

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

SECTION 1. Chapter 1331, Government Code, is amended by adding Subchapter Z to read as follows:

SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

Sec. 1331.901. USE OF SALES TAX TO PAY OR SECURE CERTAIN PUBLIC SECURITIES. (a) In this section, "public security" has the meaning assigned by Section 1201.002.

(b) Revenue derived from a sales and use tax received by a municipality may be used to pay or secure the payment of public securities issued by or on behalf of the municipality to finance the acquisition, construction, equipping, renovation, or improvement of any public work or other project any part of which is located in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) an area designated as an enterprise zone under Chapter 2303;

(3) a municipal management district created under general or local law;

(4) a public improvement district created under Chapter 372, Local Government Code;

(5) an empowerment zone or an enterprise community designated under Section 1391, Internal Revenue Code of 1986; or

(6) a renewal community designated under Section 1400E, Internal Revenue Code of 1986.

SECTION 2. Section 321.506, Tax Code, is amended to read as follows:

Sec. 321.506. USE OF TAX REVENUE BY MUNICIPALITY. Except as provided by Section 321.507, the money received by a municipality under this chapter is for the use and benefit of the municipality and may be used for any purpose for which the general funds of the municipality may be used. However, ~~except that~~ a municipality may not pledge the revenue received under this chapter to the payment of bonds or other indebtedness except as provided by Section 1331.901, Government Code.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

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