

By: Estes

S.J.R. No. 44

1 SENATE JOINT RESOLUTION

2 proposing a constitutional amendment authorizing the legislature
3 to permit the voters of a municipality with a population of less
4 than 10,000 to authorize the governing body of the municipality to
5 enter into an agreement with an owner of real property in or
6 adjacent to an area in the municipality that has been approved for
7 funding under certain revitalization or redevelopment programs to
8 prohibit ad valorem tax increases on the owner's property for a
9 limited period.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

11 SECTION 1. Article VIII, Texas Constitution, is amended by
12 adding Section 1-o to read as follows:

13 Sec. 1-o. To aid in the elimination of slum and blighted
14 conditions in less populated communities in this state, to promote
15 rural economic development in this state, and to improve the
16 economy of this state, the legislature by general law may authorize
17 the governing body of a municipality having a population of less
18 than 10,000, in the manner required by law, to call an election to
19 permit the voters to determine by majority vote whether to
20 authorize the governing body of the municipality to enter into an
21 agreement with an owner of real property that is located in or
22 adjacent to a designated area of the municipality that has been
23 approved for funding under the Downtown Revitalization Program
24 or the Main Street Improvements Program administered by the

1 Department of Agriculture, or a successor program administered by
2 that agency, under which the parties agree that the ad valorem taxes
3 imposed by any political subdivision on the owner's real property
4 may not be increased for the first five tax years after the tax year
5 in which the agreement is entered into, subject to the terms and
6 conditions provided by the agreement. A general law enacted under
7 this section must provide that, if authorized by the voters, an
8 agreement to limit ad valorem tax increases authorized by this
9 section:

10 (1) must be entered into by the governing body of the
11 municipality and a property owner before December 31 of the tax year
12 in which the election was held;

13 (2) takes effect as to a parcel of real property on
14 January 1 of the tax year following the tax year in which the
15 governing body and the property owner enter into the agreement;

16 (3) applies to ad valorem taxes imposed by any
17 political subdivision on the real property covered by the
18 agreement; and

19 (4) expires on the earlier of:

20 (A) January 1 of the sixth tax year following the
21 tax year in which the governing body and the property owner enter
22 into the agreement; or

23 (B) January 1 of the first tax year in which the
24 owner of the property when the agreement was entered into ceases to
25 own the property.

26 SECTION 2. The following temporary provision is added to
27 the Texas Constitution:

1 TEMPORARY PROVISION. (a) This temporary provision applies
2 to the constitutional amendment proposed by the 80th Legislature,
3 Regular Session, 2007, authorizing the legislature to permit the
4 voters of a municipality having a population of less than 10,000 to
5 authorize the governing body of the municipality to enter into an
6 agreement with an owner of real property in or adjacent to an area
7 in the municipality that has been approved for funding under
8 certain revitalization or redevelopment programs to prohibit ad
9 valorem tax increases on the owner's property for a limited period
10 and expires January 1, 2009.

11 (b) Section 1-o, Article VIII, of this constitution takes
12 effect January 1, 2008, and applies only to a tax year that begins
13 on or after that date.

14 SECTION 3. This proposed constitutional amendment shall be
15 submitted to the voters at an election to be held November 6, 2007.
16 The ballot shall be printed to permit voting for or against the
17 proposition: "The constitutional amendment authorizing the
18 legislature to permit the voters of a municipality having a
19 population of less than 10,000 to authorize the governing body of
20 the municipality to enter into an agreement with an owner of real
21 property in or adjacent to an area in the municipality that has been
22 approved for funding under certain programs administered by the
23 Texas Department of Agriculture under which the parties agree that
24 all ad valorem taxes imposed on the owner's property may not be
25 increased for the first five tax years after the tax year in which
26 the agreement is entered into."