

By: Estes

S.J.R. No. 44

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature
2 to permit a municipality with a population of less than 10,000 to
3 provide that municipal ad valorem taxes imposed on real property in
4 or adjacent to an area that has qualified for funding under certain
5 revitalization or redevelopment programs not be increased for a
6 limited period.

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

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

10 Sec. 1-o. To aid in the elimination of slum and blighted
11 conditions in less populated communities in this state, to promote
12 rural economic development in this state, and to improve the
13 economy of this state, the legislature by general law may authorize
14 the governing body of a municipality having a population of less
15 than 10,000, in the manner required by law for official action, to
16 provide that ad valorem taxes imposed by the municipality on real
17 property that is located in or adjacent to a designated area of the
18 municipality that has qualified for funding under the Downtown
19 Revitalization Program or the Main Street Improvements Program
20 administered by the Texas Department of Agriculture, or a successor
21 program administered by that agency, not be increased for the first
22 five tax years after the tax year in which the limitation on
23 municipal tax increases is established. A general law enacted
24 under this section must provide that a limitation on ad valorem tax

1 increases authorized by this section:

2 (1) must be established by the governing body of the
3 municipality before December 31 of the first tax year after the tax
4 year in which funding under the program administered by the Texas
5 Department of Agriculture is initially approved for the designated
6 area;

7 (2) takes effect as to a parcel of real property on
8 January 1 of the tax year following the tax year in which the
9 governing body takes action under this section; and

10 (3) expires on the earlier of:

11 (A) January 1 of the sixth tax year following the
12 tax year in which the governing body takes action under this
13 section; or

14 (B) January 1 of the first tax year in which the
15 owner of the property when the limitation takes effect ceases to own
16 the property.

17 SECTION 2. The following temporary provision is added to
18 the Texas Constitution:

19 TEMPORARY PROVISION. (a) This temporary provision applies
20 to the constitutional amendment proposed by the 80th Legislature,
21 Regular Session, 2007, authorizing the legislature to permit the
22 governing body of a municipality having a population of less than
23 10,000 to provide that municipal ad valorem taxes imposed on real
24 property in or adjacent to an area that has qualified for funding
25 under certain programs administered by the Texas Department of
26 Agriculture not be increased for the first five tax years after the
27 tax year in which the limitation is established and expires January

1 1, 2009.

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

5 SECTION 3. This proposed constitutional amendment shall be
6 submitted to the voters at an election to be held November 6, 2007.
7 The ballot shall be printed to permit voting for or against the
8 proposition: "The constitutional amendment authorizing the
9 legislature to permit the governing body of a municipality having a
10 population of less than 10,000 to provide that municipal ad valorem
11 taxes imposed on real property in or adjacent to an area that has
12 qualified for funding under certain programs administered by the
13 Texas Department of Agriculture not be increased for the first five
14 tax years after the tax year in which the limitation on municipal
15 tax increases is established."