

1-1 By: Estes S.J.R. No. 44
1-2 (In the Senate - Filed March 7, 2007; March 22, 2007, read
1-3 first time and referred to Subcommittee on Agriculture, Rural
1-4 Affairs and Coastal Resources; April 23, 2007, reported adversely,
1-5 with favorable Committee Substitute from Committee on Natural
1-6 Resources by the following vote: Yeas 10, Nays 0; April 23, 2007,
1-7 sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR S.J.R. No. 44 By: Estes

1-9 SENATE JOINT RESOLUTION

1-10 proposing a constitutional amendment authorizing the legislature
1-11 to permit the voters of a municipality with a population of less
1-12 than 10,000 to authorize the governing body of the municipality to
1-13 enter into an agreement with an owner of real property in or
1-14 adjacent to an area in the municipality that has been approved for
1-15 funding under certain revitalization or redevelopment programs to
1-16 prohibit ad valorem tax increases on the owner's property for a
1-17 limited period.

1-18 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Article VIII, Texas Constitution, is amended by
1-20 adding Section 1-o to read as follows:

1-21 Sec. 1-o. To aid in the elimination of slum and blighted
1-22 conditions in less populated communities in this state, to promote
1-23 rural economic development in this state, and to improve the
1-24 economy of this state, the legislature by general law may authorize
1-25 the governing body of a municipality having a population of less
1-26 than 10,000, in the manner required by law, to call an election to
1-27 permit the voters to determine by majority vote whether to
1-28 authorize the governing body of the municipality to enter into an
1-29 agreement with an owner of real property that is located in or
1-30 adjacent to a designated area of the municipality that has been
1-31 approved for funding under the Downtown Revitalization Program
1-32 or the Main Street Improvements Program administered by the
1-33 Department of Agriculture, or a successor program administered by
1-34 that agency, under which the parties agree that the ad valorem taxes
1-35 imposed by any political subdivision on the owner's real property
1-36 may not be increased for the first five tax years after the tax year
1-37 in which the agreement is entered into, subject to the terms and
1-38 conditions provided by the agreement. A general law enacted under
1-39 this section must provide that, if authorized by the voters, an
1-40 agreement to limit ad valorem tax increases authorized by this
1-41 section:

1-42 (1) must be entered into by the governing body of the
1-43 municipality and a property owner before December 31 of the tax year
1-44 in which the election was held;

1-45 (2) takes effect as to a parcel of real property on
1-46 January 1 of the tax year following the tax year in which the
1-47 governing body and the property owner enter into the agreement;

1-48 (3) applies to ad valorem taxes imposed by any
1-49 political subdivision on the real property covered by the
1-50 agreement; and

1-51 (4) expires on the earlier of:

1-52 (A) January 1 of the sixth tax year following the
1-53 tax year in which the governing body and the property owner enter
1-54 into the agreement; or

1-55 (B) January 1 of the first tax year in which the
1-56 owner of the property when the agreement was entered into ceases to
1-57 own the property.

1-58 SECTION 2. The following temporary provision is added to
1-59 the Texas Constitution:

1-60 TEMPORARY PROVISION. (a) This temporary provision applies
1-61 to the constitutional amendment proposed by the 80th Legislature,
1-62 Regular Session, 2007, authorizing the legislature to permit the
1-63 voters of a municipality having a population of less than 10,000 to

2-1 authorize the governing body of the municipality to enter into an
2-2 agreement with an owner of real property in or adjacent to an area
2-3 in the municipality that has been approved for funding under
2-4 certain revitalization or redevelopment programs to prohibit ad
2-5 valorem tax increases on the owner's property for a limited period
2-6 and expires January 1, 2009.

2-7 (b) Section 1-o, Article VIII, of this constitution takes
2-8 effect January 1, 2008, and applies only to a tax year that begins
2-9 on or after that date.

2-10 SECTION 3. This proposed constitutional amendment shall be
2-11 submitted to the voters at an election to be held November 6, 2007.
2-12 The ballot shall be printed to permit voting for or against the
2-13 proposition: "The constitutional amendment authorizing the
2-14 legislature to permit the voters of a municipality having a
2-15 population of less than 10,000 to authorize the governing body of
2-16 the municipality to enter into an agreement with an owner of real
2-17 property in or adjacent to an area in the municipality that has been
2-18 approved for funding under certain programs administered by the
2-19 Texas Department of Agriculture under which the parties agree that
2-20 all ad valorem taxes imposed on the owner's property may not be
2-21 increased for the first five tax years after the tax year in which
2-22 the agreement is entered into."

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