

By: Rose

H.J.R. No. 83

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature  
2 to permit conservation and reclamation districts in Hays County to  
3 issue bonds supported by ad valorem taxes to fund the development  
4 and maintenance of parks and recreational facilities.

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

6 SECTION 1. Section 59(c-1), Article XVI, Texas  
7 Constitution, is amended to read as follows:

8 (c-1) In addition and only as provided by this subsection,  
9 the Legislature may authorize conservation and reclamation  
10 districts to develop and finance with taxes those types and  
11 categories of parks and recreational facilities that were not  
12 authorized by this section to be developed and financed with taxes  
13 before September 13, 2003. For development of such parks and  
14 recreational facilities, the Legislature may authorize  
15 indebtedness payable from taxes as may be necessary to provide for  
16 improvements and maintenance only for a conservation and  
17 reclamation district all or part of which is located in Bexar  
18 County, Bastrop County, Waller County, Hays County, Travis County,  
19 Williamson County, Harris County, Galveston County, Brazoria  
20 County, Fort Bend County, or Montgomery County, or for the Tarrant  
21 Regional Water District, a water control and improvement district  
22 located in whole or in part in Tarrant County. All the indebtedness  
23 may be evidenced by bonds of the conservation and reclamation  
24 district, to be issued under regulations as may be prescribed by

1 law. The Legislature may also authorize the levy and collection  
2 within such district of all taxes, equitably distributed, as may be  
3 necessary for the payment of the interest and the creation of a  
4 sinking fund for the payment of the bonds and for maintenance of and  
5 improvements to such parks and recreational facilities. The  
6 indebtedness shall be a lien on the property assessed for the  
7 payment of the bonds. The Legislature may not authorize the  
8 issuance of bonds or provide for indebtedness under this subsection  
9 against a conservation and reclamation district unless a  
10 proposition is first submitted to the qualified voters of the  
11 district and the proposition is adopted. This subsection expands  
12 the authority of the Legislature with respect to certain  
13 conservation and reclamation districts and is not a limitation on  
14 the authority of the Legislature with respect to conservation and  
15 reclamation districts and parks and recreational facilities  
16 pursuant to this section as that authority existed before September  
17 13, 2003.

18 SECTION 2. The legislature intends by the amendment  
19 proposed by Section 1 of this resolution to expand the authority of  
20 the legislature with regard to conservation and reclamation  
21 districts in Hays County. The proposed amendment should not be  
22 construed as a limitation on the powers of the legislature or of a  
23 district with respect to parks and recreational facilities as those  
24 powers exist immediately before the amendment takes effect.

25 SECTION 3. This proposed constitutional amendment shall be  
26 submitted to the voters at an election to be held November 3, 2009.  
27 The ballot shall be printed to permit voting for or against the

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1 proposition: "The constitutional amendment authorizing the  
2 legislature to permit conservation and reclamation districts in  
3 Hays County to issue bonds supported by ad valorem taxes to fund the  
4 development and maintenance of parks and recreational facilities."