

By: Lucio

S.B. No. 2212

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authorizing an emergency services district to impose an  
3 ad valorem tax for the acquisition of land, equipment, or apparatus  
4 or the construction of capital improvements.

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

6 SECTION 1. Section 775.018(a), Health and Safety Code, is  
7 amended to read as follows:

8 (a) On the granting of a petition, the commissioners court  
9 shall order an election to confirm the district's creation and  
10 authorize the imposition of the taxes provided and ~~[a tax]~~ not to  
11 exceed the rates ~~[rate]~~ allowed by Section 48-e, Article III, Texas  
12 Constitution. Any conditions negotiated under Section 775.014(h)  
13 must be included on the ballot.

14 SECTION 2. Section 775.074, Health and Safety Code, is  
15 amended by adding Subsection (a-1) to read as follows:

16 (a-1) In addition to the ad valorem tax authorized under  
17 Subsection (a) and subject to Sections 775.018 and 775.0745, the  
18 board shall annually impose an ad valorem tax on all real and  
19 personal property in the district that is subject to district  
20 taxation for the acquisition of land, equipment, or apparatus or  
21 the construction of capital improvements. The board may use or  
22 pledge the revenue from the tax for any related purpose, including  
23 for the purposes provided by Subsections (b) and (c).

24 SECTION 3. This Act takes effect January 1, 2010, but only

1 if the constitutional amendment proposed by the 81st Legislature,  
2 Regular Session, 2009, to authorize an emergency services district  
3 to impose an ad valorem tax on property situated in the district not  
4 to exceed five cents for the acquisition of land, equipment, or  
5 apparatus or the construction of capital improvements, is approved  
6 by the voters. If the proposed amendment is not approved by the  
7 voters, this Act has no effect.