BILL ANALYSIS

BACKGROUND AND PURPOSE

Section 130.065, Education Code, provides a method by which junior college districts may annex territory into their service area and taxing jurisdiction through an election held within the territory proposed for annexation. If the voters within the area proposed for annexation vote in favor of the proposition to be annexed within a junior college district, then property taxpayers within the district will pay an in-district property tax. In return for this tax burden, persons living within a junior college districts taxing jurisdiction may take classes at a district institution at a cheaper, in-district tuition rate.

The prescribed ballot language for a junior college district annexation election authorized by §130.065, Education Code does not include the applicable tax rate. Nor does the ballot identify the junior college district seeking to annex territory. Rather, the ballot language centers on the question of whether a certain territory, specifically identified on the ballot, should be annexed for junior college purposes. As introduced, HB 2433 requires that a ballot for a junior college district annexation election include language regarding the district's taxing authority and current property tax rate. The bill further requires that the ballot language for a junior college annexation election identify the name of the junior college district attempting to annex territory.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends §130.065(g), Education Code to require that the ballot language for a junior college district annexation election include the name of the junior college district seeking to annex territory. The bill further requires that the ballot language for an annexation election refer to the district's authority to impose ad valorem taxes for junior college purposes, and specify the current ad valorem rate per $100 of taxable property value. The bill specifies that the tax rate provided on the ballot be the ad valorem tax rate of the district for the current year or, if that rate had not been adopted, the tax rate for the preceding year.

SECTION 2. Transition language making the Act's requirements applicable to annexation elections held on or after 1 September 2011.

SECTION 3. 1 September 2011 effective date.

EFFECTIVE DATE

September 1, 2011.