

AN ACT

relating to the pledge of advanced transportation district sales and use taxes to certain bonds.

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

SECTION 1. Section 451.702, Transportation Code, is amended by amending Subsections (a) and (1) and adding Subsection (1-1) to read as follows:

(a) The board of an authority in which the sales and use tax is imposed at a rate of one-half of one percent and in which the principal municipality has a population of more than 1.3 million [~~700,000~~] may order an election to create an advanced transportation district within the authority's boundaries and to impose a sales and use tax for advanced transportation and mobility enhancement under this subchapter. If approved at the election, the rate of the sales and use tax for advanced transportation and mobility enhancement shall be set by the governing body of the district at a rate of:

- (1) one-eighth of one percent;
- (2) one-fourth of one percent;
- (3) three-eighths of one percent; or
- (4) one-half of one percent.

(1) Notwithstanding any other provision of this chapter, the [The] governing body of a [the] district may, by order or resolution, without the necessity of an election specifically

1 concerning the matter:

2 (1) pledge the sales and use tax proceeds identified  
3 in Subsection (f) from a sales and use tax imposed by an election  
4 held under this section after May 21, 1999, to one or more series of  
5 sales and use tax revenue bonds issued under Subchapter H, subject  
6 to Subsection (1-1); and

7 (2) enter into an agreement or contractual arrangement  
8 under Subsection (k) [~~without the necessity of an election~~].

9 (1-1) The governing body of a district may not pledge sales  
10 and use tax proceeds under Subsection (1) unless the board has  
11 conducted a public hearing concerning the issuance of the bonds to  
12 which the proceeds are pledged and published notice of the hearing  
13 at least 14 days before the date of the hearing in a newspaper of  
14 general circulation in the principal municipality of the authority.

15 SECTION 2. This Act takes effect September 1, 2011.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 2396 was passed by the House on May 5, 2011, by the following vote: Yeas 125, Nays 21, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2396 on May 25, 2011, by the following vote: Yeas 97, Nays 45, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 2396 was passed by the Senate, with amendments, on May 23, 2011, by the following vote: Yeas 28, Nays 2.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor