

By: West

S.J.R. No. 26

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature  
2 to allow cities or counties to enter into interlocal contracts with  
3 other cities or counties without the imposition of a tax or the  
4 provision of a sinking fund.

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

6 SECTION 1. Section 5, Article XI, Texas Constitution, is  
7 amended to read as follows:

8 Sec. 5. (a) Cities having more than five thousand (5000)  
9 inhabitants may, by a majority vote of the qualified voters of said  
10 city, at an election held for that purpose, adopt or amend their  
11 charters. If the number of inhabitants of cities that have adopted  
12 or amended their charters under this section is reduced to five  
13 thousand (5000) or fewer, the cities still may amend their charters  
14 by a majority vote of the qualified voters of said city at an  
15 election held for that purpose. The adoption or amendment of  
16 charters is subject to such limitations as may be prescribed by the  
17 Legislature, and no charter or any ordinance passed under said  
18 charter shall contain any provision inconsistent with the  
19 Constitution of the State, or of the general laws enacted by the  
20 Legislature of this State. Said cities may levy, assess and collect  
21 such taxes as may be authorized by law or by their charters; but no  
22 tax for any purpose shall ever be lawful for any one year, which  
23 shall exceed two and one-half per cent. of the taxable property of  
24 such city, and no debt shall ever be created by any city, unless at

1 the same time provision be made to assess and collect annually a  
2 sufficient sum to pay the interest thereon and creating a sinking  
3 fund of at least two per cent. thereon, except as provided by  
4 Subsection (b). Furthermore, no city charter shall be altered,  
5 amended or repealed oftener than every two years.

6 (b) To increase efficiency and effectiveness to the  
7 greatest extent possible, the legislature may by general law  
8 authorize cities to enter into interlocal contracts with other  
9 cities or counties without meeting the assessment and sinking fund  
10 requirements under Subsection (a).

11 SECTION 2. Section 7, Article XI, Texas Constitution, is  
12 amended to read as follows:

13 Sec. 7. (a) All counties and cities bordering on the coast  
14 of the Gulf of Mexico are hereby authorized upon a vote of the  
15 majority of the qualified voters voting thereon at an election  
16 called for such purpose to levy and collect such tax for  
17 construction of sea walls, breakwaters, or sanitary purposes, as  
18 may now or may hereafter be authorized by law, and may create a debt  
19 for such works and issue bonds in evidence thereof. But no debt for  
20 any purpose shall ever be incurred in any manner by any city or  
21 county unless provision is made, at the time of creating the same,  
22 for levying and collecting a sufficient tax to pay the interest  
23 thereon and provide at least two per cent (2%) as a sinking fund,  
24 except as provided by Subsection (b); and the condemnation of the  
25 right of way for the erection of such works shall be fully provided  
26 for.

27 (b) To increase efficiency and effectiveness to the

1 greatest extent possible, the legislature may by general law  
2 authorize cities or counties to enter into interlocal contracts  
3 with other cities or counties without meeting the tax and sinking  
4 fund requirements under Subsection (a).

5         SECTION 3. This proposed constitutional amendment shall be  
6 submitted to the voters at an election to be held November 8, 2011.  
7 The ballot shall be printed to permit voting for or against the  
8 proposition: "The constitutional amendment authorizing the  
9 legislature to allow cities or counties to enter into interlocal  
10 contracts with other cities or counties without the imposition of a  
11 tax or the provision of a sinking fund."