

By: Murphy

H.B. No. 1983

A BILL TO BE ENTITLED

AN ACT

relating to the fiscal transparency of certain entities responsible for public money.

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

SECTION 1. Section 51.005, Education Code, is amended to read as follows:

Sec. 51.005. ANNUAL FINANCIAL REPORT [~~REPORTS~~]. (a) Each institution of higher education shall:

(1) prepare a complete annual financial report as prescribed by Section 2101.011, Government Code; and

(2) post the institution's most recent annual financial report continuously on the institution's Internet website.

(b) Each institution of higher education that is a component of a university system shall include in its annual financial report a description of any debt issued by the university system for or on behalf of the institution during the fiscal year covered by the report. In this subsection, "university system" has the meaning assigned by Section 61.003.

SECTION 2. Subchapter B, Chapter 403, Government Code, is amended by adding Section 403.0117 to read as follows:

Sec. 403.0117. LOCAL TAX RATES PUBLISHED ON INTERNET. (a) The comptroller shall publish on the comptroller's Internet website, listed by county:

1 (1) the name of each political subdivision that
2 imposes a sales and use tax and the sales and use tax rate for the
3 political subdivision; and

4 (2) the tax rate information reported to the
5 comptroller by each county assessor-collector under Section
6 26.16(e), Tax Code.

7 (b) The comptroller shall update the information described
8 by Subsection (a) at least annually.

9 SECTION 3. Section 140.005, Local Government Code, is
10 transferred to Subchapter D, Chapter 12, Education Code,
11 redesignated as Section 12.1191, Education Code, and amended to
12 read as follows:

13 Sec. 12.1191 [~~140.005~~]. ANNUAL FINANCIAL STATEMENT OF
14 CHARTER SCHOOL [~~, ROAD, OR OTHER DISTRICT~~]. (a) The governing body
15 of an an [~~a school district,~~] open-enrollment charter school [~~, junior~~
16 ~~college district, or a district or authority organized under~~
17 ~~Article III, Section 52, or Article XVI, Section 59, of the Texas~~
18 ~~Constitution,~~] shall prepare an annual financial statement showing
19 for each fund subject to the authority of the governing body during
20 the fiscal year:

21 (1) the total receipts of the fund, itemized by source
22 of revenue, including taxes, assessments, service charges, grants
23 of state money, gifts, or other general sources from which funds are
24 derived;

25 (2) the total disbursements of the fund, itemized by
26 the nature of the expenditure; and

27 (3) the balance in the fund at the close of the fiscal

1 year.

2 (b) The governing body of an open-enrollment charter school
3 shall take action to ensure that the school's annual financial
4 report is made available in the manner provided by Chapter 552,
5 Government Code, and is posted continuously on the school's
6 Internet website.

7 (c) An open-enrollment charter school shall maintain an
8 Internet website to comply with this section.

9 SECTION 4. Chapter 140, Local Government Code, is amended
10 by adding Section 140.008 to read as follows:

11 Sec. 140.008. ANNUAL FINANCIAL REPORT; DEBT INFORMATION.

12 (a) In this section:

13 (1) "Debt obligation" means an issued public security,
14 as defined by Section 1201.002, Government Code.

15 (2) "Political subdivision" means a county,
16 municipality, school district, junior college district, other
17 special district, or other subdivision of state government.

18 (b) A political subdivision shall prepare an annual
19 financial report that includes:

20 (1) financial information for each fund subject to the
21 authority of the governing body of the political subdivision during
22 the fiscal year, including:

23 (A) the total receipts of the fund, itemized by
24 source of revenue, including taxes, assessments, service charges,
25 grants of state money, gifts, or other general sources from which
26 funds are derived;

27 (B) the total disbursements of the fund, itemized

1 by the nature of the expenditure;

2 (C) the balance in the fund as of the last day of
3 the fiscal year; and

4 (D) any other information required by law to be
5 included by the political subdivision in an annual financial report
6 or comparable annual financial statement, exhibit, or report; and

7 (2) then-current debt obligation information for the
8 political subdivision that must state:

9 (A) as a total amount and as a per capita amount:

10 (i) the amount of all authorized debt
11 obligations;

12 (ii) the principal of all outstanding debt
13 obligations;

14 (iii) the principal of each outstanding
15 debt obligation;

16 (iv) the combined principal and interest
17 required to pay all outstanding debt obligations on time and in
18 full; and

19 (v) the combined principal and interest
20 required to pay each outstanding debt obligation on time and in
21 full; and

22 (B) for each debt obligation:

23 (i) the issued and unissued amount;

24 (ii) the spent and unspent amount;

25 (iii) the maturity date; and

26 (iv) the stated purpose for which the debt
27 obligation was authorized.

1 (c) The governing body of a political subdivision shall take
2 action to ensure that:

3 (1) the political subdivision's annual financial
4 report is made available for inspection by any person and is posted
5 continuously on the political subdivision's Internet website; and

6 (2) the contact information for the main office of the
7 political subdivision is continuously posted on the website,
8 including the physical address, the mailing address, the main
9 telephone number, and an e-mail address.

10 (d) A political subdivision shall maintain an Internet
11 website to comply with this section.

12 SECTION 5. The heading to Section 26.16, Tax Code, is
13 amended to read as follows:

14 Sec. 26.16. REPORTING OF TAX RATES AND POSTING OF [TAX]
15 RATES ON COUNTY'S INTERNET WEBSITE.

16 SECTION 6. Section 26.16, Tax Code, is amended by amending
17 Subsections (a), (b), and (e) and adding Subsection (f) to read as
18 follows:

19 (a) The county assessor-collector for each county,
20 including those that do not participate in the assessment or
21 collection of property taxes, shall maintain [that maintains] an
22 Internet website. The county assessor-collector shall post on the
23 website [of the county] the following information for the most
24 recent five tax years beginning with the 2012 tax year for each
25 taxing unit all or part of the territory of which is located in the
26 county:

27 (1) the adopted tax rate;

- 1 (2) the maintenance and operations rate;
- 2 (3) the debt rate;
- 3 (4) the effective tax rate;
- 4 (5) the effective maintenance and operations rate; and
- 5 (6) the rollback tax rate.

6 (b) Each taxing unit [~~all or part of the territory of which~~
7 ~~is located in the county~~] shall annually provide the information
8 described by Subsection (a) pertaining to the taxing unit to the
9 county assessor-collector of each county in which all or part of the
10 unit's territory is located [~~annually~~] following the adoption of a
11 tax rate by the taxing unit for the current tax year. The chief
12 appraiser of the appraisal district established in the county may
13 assist the county assessor-collector in identifying the taxing
14 units required to provide information to the assessor-collector.

15 (e) The county assessor-collector for each county shall
16 report the tax rate information described by Subsection (a) for the
17 current tax year to the comptroller.

18 (f) The comptroller by rule shall prescribe the time and
19 manner in which the information described by this section is
20 required to be reported and published [~~presented~~].

21 SECTION 7. Section 140.006, Local Government Code, is
22 repealed.

23 SECTION 8. (a) The governing body of a school district or
24 junior college district required to publish an annual financial
25 statement under former Section 140.006, Local Government Code,
26 shall publish an annual financial statement for the last fiscal
27 year ending before the effective date of this Act for which the

1 district has not published an annual financial statement.

2 (b) Section 140.008, Local Government Code, as added by this
3 Act, applies only to an annual financial report for a fiscal year
4 ending on or after the effective date of this Act. An annual
5 financial report for a fiscal year ending before the effective date
6 of this Act is governed by the law in effect when the fiscal year
7 ended, and the former law is continued in effect for that purpose.

8 SECTION 9. This Act takes effect September 1, 2013.