

By: Dutton

H.B. No. 2077

A BILL TO BE ENTITLED

AN ACT

relating to municipal fees in certain populous municipalities.

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

SECTION 1. Subtitle A, Title 4, Local Government Code, is amended by adding Chapter 109 to read as follows:

CHAPTER 109. MUNICIPAL FEES IN POPULOUS MUNICIPALITIES

Sec. 109.001. DEFINITION. In this chapter, "municipal fee" means any fee, charge, assessment, or similar payment required by a municipality for a municipal service, authorization, permit, license, registration, certification, filing, or similar municipal action or approval.

Sec. 109.002. APPLICABILITY. This chapter applies only to a municipality with a population of 1.9 million or more.

Sec. 109.003. REAUTHORIZATION OF FEES. A municipal fee is abolished on the second anniversary of the date the fee is adopted or most recently reauthorized under this section unless the governing body of the municipality:

(1) holds a public hearing on the reauthorization of the fee; and

(2) reauthorizes the fee by a majority vote of the governing body before that date.

Sec. 109.004. INCREASING FEES. A municipality may not increase the amount of a municipal fee unless the governing body of the municipality holds a public hearing on the increase and adopts

1 the increase by a majority vote of the governing body.

2 Sec. 109.005. ANNUAL MUNICIPAL FEE REPORT. (a) A
3 municipality shall annually prepare and publish a municipal fee
4 report that lists each municipal fee by name and states:

5 (1) the cost of each fee;

6 (2) the purpose of each fee;

7 (3) the revenue collected from each fee during the
8 preceding fiscal year;

9 (4) the expiration date of each fee if the fee is not
10 reauthorized; and

11 (5) the revenue collected from all fees during the
12 preceding fiscal year.

13 (b) The governing body of the municipality shall take action
14 to ensure that the municipal fee report:

15 (1) is made available for inspection at the city hall
16 by any person;

17 (2) is posted continuously on the municipality's
18 Internet website; and

19 (3) is mailed to each member of the legislature whose
20 legislative district includes any part of the municipality.

21 SECTION 2. Notwithstanding Section 109.003, Local
22 Government Code, as added by this Act, a municipal fee that exists
23 on the effective date of this Act is abolished on September 1, 2015,
24 unless the fee is reauthorized as provided by that section before
25 September 1, 2015.

26 SECTION 3. This Act takes effect September 1, 2013.