By:  Coleman                                          H.B. No. 3799

A BILL TO BE ENTITLED

1                              AN ACT

2  relating to ad valorem taxes assessed by an emergency services

3  district; removing the debt service component of the ad valorem tax

4  rate from the computation of the maximum tax rate.

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

6       SECTION 1.  Section 775.018(a), Health and Safety Code, is

7  amended to read as follows:

8       (a)  On the granting of a petition, the commissioners court

9  shall order an election to confirm the district's creation and

10 authorize the imposition of an ad valorem [a] tax [not to exceed the

11 rate   allowed   by   Section   48-e,   Article   III,   Texas

12 Constitution].  Any conditions negotiated under Section 775.014(h)

13 must be included on the ballot.

14      SECTION 2.  Section 775.074, Health and Safety Code, is

15 amended by adding Subsection (f) to read as follows:

16      (f)  The board may not establish a maintenance and operations

17 tax rate that exceeds 10 cents on each $100 valuation of taxable

18 property in the district. A reference in this chapter to a maximum

19 ad valorem tax rate means the maximum rate prescribed by this

20 subsection.

21      SECTION 3.  Section 775.0745(a), Health and Safety Code is

22 amended to read as follows:

23      (a)  If the board decides to increase the maximum tax rate of

24 the district to any rate at or below the rate allowed by this

1  chapter [~~or Section 48-e, Article III, Texas Constitution~~], the

2  board  must  order  an  election  to  authorize  the  increase.  The

3  proposition on the ballot must state the proposed maximum tax rate

4  to be authorized at the election.

5      SECTION 4.  (a)  This  Act  takes  effect  only  if  the

6  constitutional amendment proposed by the 83rd Legislature, Regular

7  Session,  2013,  clarifying  the  authority  of  emergency  services

8  districts  to  levy  taxes  and  issue  bonds  or  other  obligations and

9  removing the limitation on the ad valorem tax rate takes effect. If

10  that  amendment  is  not  approved  by  the  voters,  this  Act  has  no

11  effect.

12      (b)  This  Act  takes  effect  on  the  date  on  which  the

13  constitutional  amendment  described  by  Subsection  (a)  of  this

14  section takes effect.