

1-1 By: Paxton S.B. No. 656
 1-2 (In the Senate - Filed February 19, 2013; February 25, 2013,
 1-3 read first time and referred to Committee on Open Government;
 1-4 April 2, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 4, Nays 0; April 2, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 656 By: Davis

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to providing transparency in the budget adoption process
 1-18 of municipalities and counties.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 102.007, Local Government Code, is
 1-21 amended by amending Subsection (a) and adding Subsection (d) to
 1-22 read as follows:

1-23 (a) At the conclusion of the public hearing, the governing
 1-24 body of the municipality shall take action on the proposed budget.
 1-25 A vote to adopt the budget must be a record vote.

1-26 (d) An adopted budget must contain a cover page that
 1-27 includes:

1-28 (1) one of the following statements in 18-point or
 1-29 larger type that accurately describes the adopted budget:

1-30 (A) "This budget will raise more revenue from
 1-31 property taxes than last year's budget by an amount of (insert total
 1-32 dollar amount of increase), which is a (insert percentage increase)
 1-33 percent increase from last year's budget. The property tax revenue
 1-34 to be raised from new property added to the tax roll this year is
 1-35 (insert amount computed by multiplying the proposed tax rate by the
 1-36 value of new property added to the roll).";

1-37 (B) "This budget will raise less revenue from
 1-38 property taxes than last year's budget by an amount of (insert total
 1-39 dollar amount of decrease), which is a (insert percentage decrease)
 1-40 percent decrease from last year's budget. The property tax revenue
 1-41 to be raised from new property added to the tax roll this year is
 1-42 (insert amount computed by multiplying the proposed tax rate by the
 1-43 value of new property added to the roll)."; or

1-44 (C) "This budget will raise the same amount of
 1-45 revenue from property taxes as last year's budget. The property tax
 1-46 revenue to be raised from new property added to the tax roll this
 1-47 year is (insert amount computed by multiplying the proposed tax
 1-48 rate by the value of new property added to the roll).";

1-49 (2) the record vote of each member of the governing
 1-50 body by name voting on the adoption of the budget;

1-51 (3) the municipal property tax rates for the preceding
 1-52 fiscal year, and each municipal property tax rate that has been
 1-53 adopted or calculated for the current fiscal year, including:

1-54 (A) the property tax rate;

1-55 (B) the effective tax rate;

1-56 (C) the effective maintenance and operations tax
 1-57 rate;

1-58 (D) the rollback tax rate; and

1-59 (E) the debt rate; and

1-60 (4) the total amount of bonds and other debt

2-1 obligations owed by the municipality.

2-2 SECTION 2. Section 102.008, Local Government Code, is
2-3 amended to read as follows:

2-4 Sec. 102.008. APPROVED BUDGET FILED WITH MUNICIPAL CLERK:
2-5 POSTING ON INTERNET. (a) On final approval of the budget by the
2-6 governing body of the municipality, the governing body shall:

2-7 (1) file the budget with the municipal clerk; and
2-8 (2) if the municipality maintains an Internet website,
2-9 take action to ensure that:

2-10 (A) a copy of the budget, including the cover
2-11 page, is posted on the website; and

2-12 (B) the record vote described by Section
2-13 102.007(d)(2) is posted on the website at least until the first
2-14 anniversary of the date the budget is adopted.

2-15 (b) The governing body shall take action to ensure that the
2-16 cover page of the budget is amended to include the property tax
2-17 rates required by Section 102.007(d)(3) for the current fiscal year
2-18 if the rates are not included on the cover page when the budget is
2-19 filed with the municipal clerk. The governing body shall file an
2-20 amended cover page with the municipal clerk and take action to
2-21 ensure that the amended cover page is posted on the municipality's
2-22 website.

2-23 SECTION 3. Section 111.008, Local Government Code, is
2-24 amended by amending Subsection (a) and adding Subsection (d) to
2-25 read as follows:

2-26 (a) At the conclusion of the public hearing, the
2-27 commissioners court shall take action on the proposed budget. A
2-28 vote to adopt the budget must be a record vote.

2-29 (d) An adopted budget must contain a cover page that
2-30 includes:

2-31 (1) one of the following statements in 18-point or
2-32 larger type that accurately describes the adopted budget:

2-33 (A) "This budget will raise more revenue from
2-34 property taxes than last year's budget by an amount of (insert total
2-35 dollar amount of increase), which is a (insert percentage increase)
2-36 percent increase from last year's budget. The property tax revenue
2-37 to be raised from new property added to the tax roll this year is
2-38 (insert amount computed by multiplying the proposed tax rate by the
2-39 value of new property added to the roll).";

2-40 (B) "This budget will raise less revenue from
2-41 property taxes than last year's budget by an amount of (insert total
2-42 dollar amount of decrease), which is a (insert percentage decrease)
2-43 percent decrease from last year's budget. The property tax revenue
2-44 to be raised from new property added to the tax roll this year is
2-45 (insert amount computed by multiplying the proposed tax rate by the
2-46 value of new property added to the roll)."; or

2-47 (C) "This budget will raise the same amount of
2-48 revenue from property taxes as last year's budget. The property tax
2-49 revenue to be raised from new property added to the tax roll this
2-50 year is (insert amount computed by multiplying the proposed tax
2-51 rate by the value of new property added to the roll).";

2-52 (2) the record vote of each member of the
2-53 commissioners court by name voting on the adoption of the budget;

2-54 (3) the county property tax rates for the preceding
2-55 fiscal year, and each county property tax rate that has been adopted
2-56 or calculated for the current fiscal year, including:

2-57 (A) the property tax rate;

2-58 (B) the effective tax rate;

2-59 (C) the effective maintenance and operations tax
2-60 rate;

2-61 (D) the rollback tax rate; and

2-62 (E) the debt rate; and

2-63 (4) the total amount of bonds and other debt
2-64 obligations owed by the county.

2-65 SECTION 4. Section 111.009, Local Government Code, is
2-66 amended to read as follows:

2-67 Sec. 111.009. APPROVED BUDGET FILED WITH COUNTY CLERK:
2-68 POSTING ON INTERNET. (a) On final approval of the budget by the
2-69 commissioners court, the court shall:

3-1 (1) file the budget with the county clerk; and
3-2 (2) if the county maintains an Internet website, take
3-3 action to ensure that:

3-4 (A) a copy of the budget, including the cover
3-5 page, is posted on the website; and

3-6 (B) the record vote described by Section
3-7 111.008(d)(2) is posted on the website at least until the first
3-8 anniversary of the date the budget is adopted.

3-9 (b) The commissioners court shall take action to ensure that
3-10 the cover page of the budget is amended to include the property tax
3-11 rates required by Section 111.008(d)(3) for the current fiscal year
3-12 if the rates are not included on the cover page when the budget is
3-13 filed with the county clerk. The commissioners court shall file an
3-14 amended cover page with the county clerk and take action to ensure
3-15 that the amended cover page is posted on the county's website.

3-16 SECTION 5. Section 111.039, Local Government Code, is
3-17 amended by amending Subsection (a) and adding Subsection (d) to
3-18 read as follows:

3-19 (a) At the conclusion of the public hearing, the
3-20 commissioners court shall take action on the proposed budget. A
3-21 vote to adopt the budget must be a record vote.

3-22 (d) An adopted budget must contain a cover page that
3-23 includes:

3-24 (1) one of the following statements in 18-point or
3-25 larger type that accurately describes the adopted budget:

3-26 (A) "This budget will raise more revenue from
3-27 property taxes than last year's budget by an amount of (insert total
3-28 dollar amount of increase), which is a (insert percentage increase)
3-29 percent increase from last year's budget. The property tax revenue
3-30 to be raised from new property added to the tax roll this year is
3-31 (insert amount computed by multiplying the proposed tax rate by the
3-32 value of new property added to the roll).";

3-33 (B) "This budget will raise less revenue from
3-34 property taxes than last year's budget by an amount of (insert total
3-35 dollar amount of decrease), which is a (insert percentage decrease)
3-36 percent decrease from last year's budget. The property tax revenue
3-37 to be raised from new property added to the tax roll this year is
3-38 (insert amount computed by multiplying the proposed tax rate by the
3-39 value of new property added to the roll)."; or

3-40 (C) "This budget will raise the same amount of
3-41 revenue from property taxes as last year's budget. The property tax
3-42 revenue to be raised from new property added to the tax roll this
3-43 year is (insert amount computed by multiplying the proposed tax
3-44 rate by the value of new property added to the roll).";

3-45 (2) the record vote of each member of the
3-46 commissioners court by name voting on the adoption of the budget;

3-47 (3) the county property tax rates for the preceding
3-48 fiscal year, and each county property tax rate that has been adopted
3-49 or calculated for the current fiscal year, including:

3-50 (A) the property tax rate;

3-51 (B) the effective tax rate;

3-52 (C) the effective maintenance and operations tax
3-53 rate;

3-54 (D) the rollback tax rate; and

3-55 (E) the debt rate; and

3-56 (4) the total amount of bonds and other debt
3-57 obligations owed by the county.

3-58 SECTION 6. Section 111.040, Local Government Code, is
3-59 amended to read as follows:

3-60 Sec. 111.040. APPROVED BUDGET FILED WITH OFFICERS: POSTING
3-61 ON INTERNET. (a) On final approval of the budget by the
3-62 commissioners court, the court shall:

3-63 (1) file a copy of the budget with the county auditor
3-64 and the county clerk; and

3-65 (2) if the county maintains an Internet website, take
3-66 action to ensure that:

3-67 (A) a copy of the budget, including the cover
3-68 page, is posted on the website; and

3-69 (B) the record vote described by Section

4-1 111.039(d)(2) is posted on the website at least until the first
4-2 anniversary of the date the budget is adopted.

4-3 (b) The commissioners court shall take action to ensure that
4-4 the cover page of the budget is amended to include the property tax
4-5 rates required by Section 111.039(d)(3) for the current fiscal year
4-6 if the rates are not included on the cover page when the budget is
4-7 filed with the county clerk. The commissioners court shall file an
4-8 amended cover page with the county clerk and take action to ensure
4-9 that the amended cover page is posted on the county's website.

4-10 SECTION 7. Section 111.068, Local Government Code, is
4-11 amended by amending Subsection (a) and adding Subsection (c) to
4-12 read as follows:

4-13 (a) At the conclusion of the public hearing, the
4-14 commissioners court shall take action on the proposed budget. A
4-15 vote to adopt the budget must be a record vote.

4-16 (c) An adopted budget must contain a cover page that
4-17 includes:

4-18 (1) one of the following statements in 18-point or
4-19 larger type that accurately describes the adopted budget:

4-20 (A) "This budget will raise more revenue from
4-21 property taxes than last year's budget by an amount of (insert total
4-22 dollar amount of increase), which is a (insert percentage increase)
4-23 percent increase from last year's budget. The property tax revenue
4-24 to be raised from new property added to the tax roll this year is
4-25 (insert amount computed by multiplying the proposed tax rate by the
4-26 value of new property added to the roll).";

4-27 (B) "This budget will raise less revenue from
4-28 property taxes than last year's budget by an amount of (insert total
4-29 dollar amount of decrease), which is a (insert percentage decrease)
4-30 percent decrease from last year's budget. The property tax revenue
4-31 to be raised from new property added to the tax roll this year is
4-32 (insert amount computed by multiplying the proposed tax rate by the
4-33 value of new property added to the roll)."; or

4-34 (C) "This budget will raise the same amount of
4-35 revenue from property taxes as last year's budget. The property tax
4-36 revenue to be raised from new property added to the tax roll this
4-37 year is (insert amount computed by multiplying the proposed tax
4-38 rate by the value of new property added to the roll).";

4-39 (2) the record vote of each member of the
4-40 commissioners court by name voting on the adoption of the budget;

4-41 (3) the county property tax rates for the preceding
4-42 fiscal year, and each county property tax rate that has been adopted
4-43 or calculated for the current fiscal year, including:

4-44 (A) the property tax rate;

4-45 (B) the effective tax rate;

4-46 (C) the effective maintenance and operations tax
4-47 rate;

4-48 (D) the rollback tax rate; and

4-49 (E) the debt rate; and

4-50 (4) the total amount of bonds and other debt
4-51 obligations owed by the county.

4-52 SECTION 8. Section 111.069, Local Government Code, is
4-53 amended to read as follows:

4-54 Sec. 111.069. APPROVED BUDGET FILED WITH OFFICERS; POSTING
4-55 ON INTERNET. (a) On final approval of the budget by the
4-56 commissioners court, the court shall:

4-57 (1) file a copy of the budget with the county auditor
4-58 and the county clerk; and

4-59 (2) if the county maintains an Internet website, take
4-60 action to ensure that:

4-61 (A) a copy of the budget, including the cover
4-62 page, is posted on the website; and

4-63 (B) the record vote described by Section
4-64 111.068(c)(2) is posted on the website at least until the first
4-65 anniversary of the date the budget is adopted.

4-66 (b) The commissioners court shall take action to ensure that
4-67 the cover page of the budget is amended to include the property tax
4-68 rates required by Section 111.068(c)(3) for the current fiscal year
4-69 if the rates are not included on the cover page when the budget is

5-1 filed with the county clerk. The commissioners court shall file an
5-2 amended cover page with the county clerk and take action to ensure
5-3 that the amended cover page is posted on the county's website.

5-4 SECTION 9. This Act applies only to a budget adopted for a
5-5 fiscal year beginning on or after the effective date of this Act.

5-6 SECTION 10. This Act takes effect September 1, 2013.

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