

AN ACT

relating to addition of certain municipalities to the territory of a regional transportation authority.

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

SECTION 1. Section 452.6025, Transportation Code, is amended to read as follows:

Sec. 452.6025. ADDITION OF CERTAIN MUNICIPALITIES BY ELECTION. (a) In this section, "special sales and use tax" means a sales and use tax levied by a municipality that is in excess of one percent~~+~~

~~[(1) a sales and use tax levied by a municipality under:~~

~~[(A) Chapter 504 or 505, Local Government Code,~~

~~[(B) Section 379A.081, Local Government Code,~~

~~for the benefit of a municipal development corporation, or~~

~~[(C) Section 363.055, Local Government Code, for~~

~~the benefit of a crime control and prevention district, or~~

~~[(2) an additional municipal sales and use tax levied by a municipality under Chapter 321, Tax Code].~~

(b) This section applies only to a municipality that levies a special sales and use tax that, when combined with the authority's sales and use tax, would result in a sales and use tax rate of more than two percent in the territory of the municipality.

(c) A ~~[Notwithstanding Section 452.606, a]~~ municipality

1 that does not have territory that is [~~not~~] part of an authority may
2 be added to the territory of an authority on a date determined by
3 the executive committee if:

4 (1) any part of the territory of the municipality is
5 located in a county in which the authority has territory or in a
6 county that is adjacent to a county in which the authority has
7 territory;

8 (2) the executive committee states, by resolution, the
9 authority's intention to provide transportation services in the
10 territory of the municipality;

11 (3) [~~(2)~~] the governing body of the municipality calls
12 an election on the addition of the territory of the municipality to
13 the territory of the authority; and

14 (4) [~~(3)~~] a majority of the votes cast in the election
15 favor the proposition.

16 (d) The election in a municipality to approve the addition
17 of the territory of the municipality to the territory of the
18 authority is to be treated for all purposes as an election to reduce
19 the rate of the municipality's special sales and use tax, on the
20 effective date determined by the executive committee, to the
21 highest rate that will not impair the imposition of the authority's
22 sales and use tax.

23 (e) At any time after the date of the election approving the
24 addition of the territory of the municipality to the territory of
25 the authority, the executive committee and the governing body of
26 the municipality may enter into an interlocal agreement that
27 provides for the eventual admission of the territory of the

1 municipality to the territory of the authority.

2 (f) Notwithstanding Section 452.607, a sales and use tax
3 imposed by the authority takes effect in the territory of the
4 municipality on the first day of the first calendar quarter that
5 begins after the date the comptroller receives a certified copy of
6 an order adopted by the executive committee adding the territory of
7 the municipality, accompanied by a map of the authority clearly
8 showing the territory added.

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1461 passed the Senate on April 25, 2013, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 20, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1461 passed the House, with amendment, on May 10, 2013, by the following vote: Yeas 141, Nays 2, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor