

By: Lucio

S.J.R. No. 64

1 A JOINT RESOLUTION

2 proposing a constitutional amendment to authorize the creation of  
3 emergency response districts; providing authority to impose a tax  
4 and issue bonds.

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

6 SECTION 1. Article III, Texas Constitution, is amended by  
7 adding Section 48-d to read as follows:

8 Sec. 48-d. (a) The following are declared to be public  
9 rights and duties, and the Legislature may pass laws as may be  
10 appropriate relating to:

11 (1) protection of the health and welfare of the  
12 citizens and residents of this State during natural disasters and  
13 other emergency situations;

14 (2) prevention of and protection from damage to or  
15 destruction of property in this State; and

16 (3) preservation and protection of natural resources  
17 in this State.

18 (b) There may be created within this State, as provided by  
19 general or local law, such number of emergency response districts  
20 as may be determined to be essential to the accomplishment of the  
21 purposes described by Subsection (a) of this section. The emergency  
22 response districts shall be governmental agencies and bodies  
23 politic and corporate with such powers of government and with the  
24 authority to exercise such rights, privileges, and functions

1 concerning the subject matter of this section as may be conferred by  
2 law.

3 (c) The Legislature may authorize the imposition within the  
4 emergency response districts of taxes, equitably distributed, as  
5 may be necessary for the payment of interest and the creation of a  
6 sinking fund for the payment of bonds or other obligations and for  
7 the maintenance of the districts and improvements. The Legislature  
8 may not authorize the imposition of taxes for maintenance and  
9 operation of an emergency response district, authorize the issuance  
10 of any bonds by a district, or provide for any indebtedness against  
11 a district unless that proposition is submitted to the qualified  
12 voters of the district and adopted by the voters.

13 (d) A local law creating an emergency response district may  
14 not be passed unless notice of the intention to introduce the bill  
15 setting forth the general substance of the contemplated law has  
16 been published at least 30 days and not more than 90 days prior to  
17 the introduction of the bill in one or more newspapers having  
18 general circulation in each county in which the district or any part  
19 of the district is or will be located, and by delivering a copy of  
20 the notice and the bill to the governor, who shall submit the notice  
21 and the bill to the Division of Emergency Management of the  
22 Department of Public Safety of the State of Texas or its successor.  
23 The Division or its successor shall file its recommendation as to  
24 the bill with the governor, lieutenant governor, and speaker of the  
25 house of representatives not later than 30 days after the date the  
26 notice is received by the Division or its successor. The notice and  
27 copy of a bill shall also be given for the introduction of a bill

1 amending a local law creating or governing a particular emergency  
2 response district if the bill:

3 (1) adds additional land to the district;

4 (2) alters the taxing authority of the district;

5 (3) alters the authority of the district with respect  
6 to the issuance of bonds; or

7 (4) alters the qualifications or terms of office of  
8 the members of the governing body of the district.

9 (e) A local law creating an emergency response district may  
10 not be passed unless, at the time notice of the intention to  
11 introduce a bill is published as provided by Subsection (d) of this  
12 section, a copy of the proposed bill is delivered to the  
13 commissioners court of each county in which the district or any part  
14 of the district is or will be located and to the governing body of  
15 each municipality in whose jurisdiction the district or any part of  
16 the district is or will be located. Each commissioners court and  
17 governing body may file its written consent or opposition to the  
18 creation of the proposed district with the governor, lieutenant  
19 governor, and speaker of the house of representatives.

20 SECTION 2. This proposed constitutional amendment shall be  
21 submitted to the voters at an election to be held November 3, 2015.  
22 The ballot shall be printed to provide for voting for or against the  
23 proposition: "The constitutional amendment to authorize the  
24 creation of emergency response districts."