

By: Muñoz, Jr.

H.B. No. 2309

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a county to use county revenue or incur county debt for certain public works projects.

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

SECTION 1. Subtitle B, Title 4, Local Government Code, is amended by adding Chapter 120 to read as follows:

CHAPTER 120. ELECTION REQUIRED TO FUND CERTAIN PUBLIC WORKS PROJECTS

Sec. 120.001. DEFINITIONS. In this chapter:

(1) "Project cost" is the total cost required to complete a public works project, including all costs related to:

(A) the planning and development of the project;

(B) the acquisition of real property for the project; and

(C) the construction, alteration, repair, equipping, and furnishing of the project.

(2) "Public works project" means:

(A) the construction, alteration, repair, equipping, or furnishing of a public building or structure; or

(B) the construction, alteration, or repair of any other public work, including a road, sewer or water line, swimming pool, or other improvement to real property.

Sec. 120.002. ELECTION REQUIREMENT FOR CERTAIN PUBLIC WORKS PROJECTS. A county may not fund, in whole or in part, a public works

1 project with county revenue or debt if the project cost is \$2.5
2 million or more unless the funding is approved by a majority of the
3 voters of the county at an election held for that purpose.

4 SECTION 2. The change in law made by this Act applies only
5 to a public works project as defined by Section 120.001, Local
6 Government Code, as added by this Act, for which:

7 (1) a contract for the project has not been executed on
8 the effective date of this Act; or

9 (2) if no contract for the project will be executed,
10 the actual construction, alteration, or repair of the project has
11 not begun on the effective date of this Act.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2017.