

By: Taylor of Collin

S.B. No. 1164

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a municipality or county to adopt fees that generate substantial revenue.

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

SECTION 1. Subtitle C, Title 4, Local Government Code, is amended by adding Chapter 134 to read as follows:

CHAPTER 134. MUNICIPAL AND COUNTY FEES THAT GENERATE SUBSTANTIAL REVENUE

Sec. 134.001. DEFINITIONS. In this chapter:

(1) "Fee" means any fee, charge, assessment, or similar payment required by a municipality or county for a privilege, service, authorization, permit, license, registration, certification, filing, or other municipal or county action or approval.

(2) "General revenue" means revenue received by a municipality or county and deposited in the general operating fund of the municipality or county.

(3) "Substantial revenue" means revenue in an amount equal to at least one percent of the general revenue of a municipality or county received during the most recently ended fiscal year of the municipality or county.

Sec. 134.002. APPLICABILITY. This chapter applies only to a municipal or county fee projected to generate substantial revenue during the 12-month period after the date an election to approve the

1 fee is held.

2 Sec. 134.003. ADOPTION OF MUNICIPAL FEE; ELECTION REQUIRED.

3 Notwithstanding any other provision of law, a municipality may not
4 impose a new fee unless the fee is approved by:

5 (1) at least two-thirds of the members of the
6 governing body of the municipality; and

7 (2) the voters of the municipality voting at an
8 election held for that purpose.

9 Sec. 134.004. ADOPTION OF COUNTY FEE; ELECTION REQUIRED.

10 Notwithstanding any other provision of law, a county may not impose
11 a new fee unless the fee is approved by:

12 (1) at least four members of the commissioners court
13 of the county; and

14 (2) the voters of the county voting at an election held
15 for that purpose.

16 SECTION 2. This Act takes effect September 1, 2017.