

By: Taylor of Collin

S.B. No. 1611

A BILL TO BE ENTITLED

AN ACT

relating to requiring an election for the issuance of certain certificates of obligation by a municipality or county.

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

SECTION 1. The heading to Section 271.049, Local Government Code, is amended to read as follows:

Sec. 271.049. NOTICE OF INTENTION TO ISSUE CERTIFICATES; ~~PETITION AND~~ ELECTION REQUIRED.

SECTION 2. Sections 271.049(c) and (d), Local Government Code, are amended to read as follows:

(c) If ~~[before the date tentatively set for the authorization of the issuance of the certificates or if before the authorization, the municipal secretary or clerk if]~~ the issuer is a municipality~~[7]~~ or ~~[the county clerk if the issuer is]~~ a county, ~~[receives a petition signed by at least five percent of the qualified voters of the issuer protesting the issuance of the certificates,]~~ the issuer may not authorize the issuance of the certificates unless the issuance is approved at an election ordered, held, and conducted in the manner provided for bond elections under Chapter 1251, Government Code. The election must be held on the first uniform election date prescribed by Section 41.001, Election Code, that occurs after notice is provided under this section and that allows sufficient time to comply with other requirements of law.

1 (d) This section does not apply if:

2 (1) the issuer is located wholly or partly inside an
3 area declared to be a disaster area by the governor; and

4 (2) the proceeds of the certificates are used only for
5 disaster-related purposes [~~to certificates issued for the purposes~~
6 ~~described by Sections 271.056(1)-(4)~~].

7 SECTION 3. Section 271.049, Local Government Code, as
8 amended by this Act, applies only to a certificate of obligation
9 issued on or after the effective date of this Act. A certificate
10 issued before the effective date of this Act is governed by the law
11 applicable to the certificate immediately before the effective date
12 of this Act, and that law is continued in effect for that purpose.

13 SECTION 4. This Act takes effect September 1, 2017.