

1-1 By: Birdwell S.B. No. 1727
1-2 (In the Senate - Filed March 9, 2017; March 23, 2017, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 26, 2017, reported favorably by the following
1-5 vote: Yeas 5, Nays 0, 1 present not voting; April 26, 2017, sent
1-6 to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15				X

1-16 A BILL TO BE ENTITLED
1-17 AN ACT

1-18 relating to the procedure for an election to adopt a sales and use
1-19 tax or to change the tax rate in an emergency services district.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 775.0751(c-1), Health and Safety Code,
1-22 is amended to read as follows:

1-23 (c-1) A district that otherwise would be precluded from
1-24 adopting a sales and use tax under Subsection (c) may adopt a sales
1-25 and use tax, change the rate of its sales and use tax, or abolish its
1-26 sales and use tax at an election held as provided by Section
1-27 775.0752, if the board:

1-28 (1) excludes from the ~~[election and the]~~ applicability
1-29 of any proposed sales and use tax any territory in the district
1-30 where the sales and use tax is then at two percent; and

1-31 (2) not later than the 30th day after the date on which
1-32 the board issues the election order, gives, for informational
1-33 purposes, written or oral notice on the proposed imposition,
1-34 increase, or abolition of the sales and use tax, including the
1-35 reasons for the proposed change, to the commissioners court of each
1-36 county in which the district is located.

1-37 SECTION 2. Section 775.0752, Health and Safety Code, is
1-38 amended by adding Subsection (f) to read as follows:

1-39 (f) At an election described by Section 775.0751(c-1) to
1-40 adopt the tax, the ballot shall be prepared to permit voting for or
1-41 against the proposition: "The adoption of a local sales and use tax
1-42 in (name of district) at a rate not to exceed (proposed tax rate)
1-43 percent in any location in the district."

1-44 SECTION 3. The acts and proceedings of an emergency
1-45 services district relating to an election described by Section
1-46 775.0751(c-1), Health and Safety Code, to impose a sales and use tax
1-47 that was held November 3, 2015, and at which the ballot proposition
1-48 used language from Section 775.0752, Health and Safety Code, and
1-49 was approved by a majority of the voters voting on the proposition
1-50 are validated as of the dates they occurred. The validation
1-51 includes the preparation and wording of the ballot proposition, any
1-52 action taken by the district in calling, holding, and canvassing
1-53 the tax election, and any other action taken by the district before
1-54 the effective date of this Act in connection with the imposition of
1-55 the tax approved in the tax election. A district may take any
1-56 further action or conduct any further proceeding necessary to
1-57 complete the imposition of the tax approved at the tax election.

1-58 SECTION 4. This Act takes effect immediately if it receives
1-59 a vote of two-thirds of all the members elected to each house, as
1-60 provided by Section 39, Article III, Texas Constitution. If this
1-61 Act does not receive the vote necessary for immediate effect, this

2-1 Act takes effect September 1, 2017.

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