

## **BILL ANALYSIS**

Senate Research Center  
86R6356 ADM-F

S.B. 2219  
By: Bettencourt  
Property Tax  
4/8/2019  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties suggest that greater uniformity is advisable when certain initiatives are put before the voters in order to ensure fairness for all involved. Home-rule municipalities in Texas have fairly broad discretion to place initiatives before voters for consideration; however, there is little uniformity in the processes used due to local elections being governed by each municipality's charter.

S.B. 2219 seeks to address these issues by providing for requirements for issuing bonds or other debt. In order to guarantee citizens uniform and fair elections, S.B. 2219 outlines the process that must be followed by home-rule municipalities to propose issuing of bonds or other debt, and establishes safeguards to ensure that ballot language accurately describes the bond or other debt being placed before voters.

As proposed, S.B. 2219 amends current law relating to ballot propositions authorizing political subdivisions to issue bonds or other debt or to impose or change a tax.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 41, Election Code, by adding Section 41.0051, as follows:

Sec. 41.0051. PROPOSITION FOR APPROVAL OF ISSUANCE OF BONDS OR OTHER DEBT. (a) Requires a proposition for approval of the issuance of bonds or other debt to be submitted to the voters in an election held on the November uniform election date, except as provided by Subsection (b).

(b) Provides that, notwithstanding Section 41.0011(a) (relating to authorizing a special election in case of emergency), an emergency election under Section 41.0011 (Emergency Requiring Early Election) at which a proposition described by Subsection (a) is submitted to the voters is required to be held on any uniform election date.

(c) Requires the authority administering the election, if a law outside this code requires a proposition described by Subsection (a) to be submitted to the voters in an election held on a date other than the November uniform election date, to set the election date to comply with this section.

SECTION 2. Amends Section 52.072, Election Code, by amending Subsection (e) and adding Subsection (f), as follows:

(e) Deletes existing text of Subdivisions (1)–(2), creates Subdivision (1) from existing Subdivision (2) and creates Subdivision (2) from existing Subdivision (3), and makes nonsubstantive changes. Requires a proposition in an election of a

political subdivision, including a city, county, school district, or special taxing district, submitted to the voters for approval of the imposition, increase, or reduction of a tax, in addition to any other requirement imposed by law for a proposition, including a provision prescribing the proposition language, to specifically state, as applicable, rather than requires a proposition submitted to the voters for approval of the issuance of bonds or the imposition, increase, or reduction of a tax, in addition to any other requirement imposed by law for a proposition, including a provision prescribing the proposition language, to specifically state, as applicable:

(1) with respect to a proposition that only seeks voter approval of the imposition or increase of a tax:

(A) creates this paragraph from existing text and makes no additional changes;

(B) the estimated additional tax burden that would be imposed on a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, after the imposition or increase of the tax, if approved; and

(C) a detailed description of the purposes for which the tax is to be imposed or increased, if approved; or

(2) with respect to a proposition that only seeks voter approval of the reduction of a tax:

(A) creates this paragraph from existing text and makes nonsubstantive changes; and

(B) the estimated tax reduction for a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, if the reduction of the tax is approved.

(f) Prohibits a proposition to which Subsection (e) applies or for approval of the issuance of bonds from exceeding 5,000 characters or a different limit prescribed by the secretary of state that ensures that the length of the proposition does not exceed one page of the ballot or one screen on an electronic voting machine.

SECTION 3. Amends Chapter 1251, Government Code, by designating Sections 1251.001, 1251.002, 1251.003, 1251.004, 1251.005, and 1251.006 as Subchapter A and adding a subchapter heading to read as follows:

**SUBCHAPTER A. PROVISIONS RELATING GENERALLY TO BOND ELECTIONS**

SECTION 4. Amends Chapter 1251, Government Code, by adding Subchapter B, as follows:

**SUBCHAPTER B. BALLOT PROPOSITION FOR BONDS ISSUED BY POLITICAL SUBDIVISION**

Sec. 1251.051. **APPLICABILITY.** Provides that this subchapter applies to bonds issued by any political subdivision, including a municipality, county, school district, or special taxing district.

Sec. 1251.052. **FORM.** Requires a proposition seeking voter approval of the issuance of bonds to specifically state:

(1) a general description of the purposes for which the bonds are to be authorized;

- (2) the total principal amount of the bonds;
- (3) the total amount of the political subdivision's debt secured by ad valorem taxes currently outstanding;
- (4) the total amount of the political subdivision's current payments on debt secured by ad valorem taxes;
- (5) the amount of taxes required to be imposed on a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, to repay the political subdivision's current debt obligations secured by ad valorem taxes; and
- (6) the estimated tax burden that would be imposed on a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, to repay the bonds to be authorized, if approved.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: September 1, 2019.