By:  Bettencourt, et al. S.B. No. 2219

A BILL TO BE ENTITLED

AN ACT

relating to ballot propositions authorizing political subdivisions to issue bonds or other debt or to impose or change a tax.

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

SECTION 1.  Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.0051 to read as follows:

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

(b)  Notwithstanding Section 41.0011(a), an emergency election under Section 41.0011 at which a proposition described by Subsection (a) is submitted to the voters shall be held on any uniform election date.

(c)  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, the authority administering the election shall set the election date to comply with this section.

(d)  This section does not apply to an election described by Section 49.102, Water Code, or an election held in conjunction with that election.

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

(e)  In addition to any other requirement imposed by law for a proposition, including a provision prescribing the proposition language, 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 issuance of bonds or~~] the imposition, increase, or reduction of a tax shall specifically state, as applicable:

(1)  with respect to a proposition seeking voter approval of the issuance of bonds:

(A)  the total principal amount of the bonds to be authorized, if approved; and

(B)  a plain language [~~general~~] description of the single specific purpose [~~the purposes~~] for which the bonds are to be authorized, if approved;

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

(A)  [~~,~~] the amount of or maximum tax rate of the tax or tax increase for which approval is sought;

(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

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

(A)  [~~,~~] the amount of tax rate reduction or the tax rate for which approval is sought; 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)  A proposition to which Subsection (e) applies or for approval of the issuance of bonds may not exceed:

(1)  5,000 characters; or

(2)  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.  Chapter 1251, Government Code, is amended 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.  Chapter 1251, Government Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. BALLOT PROPOSITION FOR BONDS ISSUED BY POLITICAL SUBDIVISION

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

Sec. 1251.052.  FORM. (a)  A proposition seeking voter approval of the issuance of bonds shall specifically state:

(1)  a plain language description of each single specific purpose 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.

(b)  Each single specific purpose for which bonds requiring voter approval are to be issued must be printed on the ballot as a separate proposition.

SECTION 5.  Section 45.003, Education Code, is amended by adding Subsections (g) and (h) to read as follows:

(g)  Notwithstanding Section 52.072, Election Code, and Section 1251.052, Government Code, the question of whether to approve the issuance of bonds for the construction, acquisition, and equipment of school buildings in the district and the purchase of necessary sites for school buildings may be submitted to the voters in a single ballot proposition, except that bonds for each of the following purposes must be stated in a separate proposition:

(1)  the construction, improvement, or renovation of a stadium;

(2)  the construction, improvement, or renovation of a natatorium;

(3)  the construction, improvement, or renovation of another recreational facility other than a gymnasium;

(4)  the construction, improvement, or renovation of a performing arts facility;

(5)  the construction, improvement, or renovation of housing for teachers as determined by the district to be necessary to have a sufficient number of teachers for the district; and

(6)  an acquisition or update of technology equipment, other than equipment used for school security purposes.

(h)  The question of whether to approve the issuance of bonds for a building described by Subsection (g)(1), (2), (3), (4), or (5) must be printed on the ballot as a separate ballot proposition regardless of whether that building is proposed as part of the same complex or building that contains traditional classroom facilities. Each separate ballot proposition required by this subsection must state the principal amount of the bonds to be issued that constitutes the cost for construction of that portion of the building or complex attributable to the building described by Subsection (g)(1), (2), (3), (4), or (5) or to the traditional classroom facilities, as applicable.

SECTION 6.  The changes in law made by this Act apply only to an election ordered on or after the effective date of this Act. An election ordered before the effective date of this Act is governed by the law in effect when the election was ordered, and the former law is continued in effect for that purpose.

SECTION 7.  This Act takes effect September 1, 2019.