

By: Rodriguez

H.B. No. 3406

A BILL TO BE ENTITLED

AN ACT

relating to communications regarding the adoption of certain
taxation rates.

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

SECTION 1. Section 255.003, Election Code (b), is amended
to read as follows:

(b) Subsection (a) does not apply to:

(1) a communication that factually describes the
purposes of a measure if the communication does not advocate
passage or defeat of the measure; or

(2) an oral or written communication by an elected
official of a political subdivision that advocates passage or
defeat of a measure to adopt an ad valorem tax rate of the political
subdivision under an election to approve a tax rate pursuant to the
Tax Code.

SECTION 2. Section 26.05(b), Tax Code, is amended to read as
follows:

(b) A taxing unit may not impose property taxes in any year
until the governing body has adopted a tax rate for that year, and
the annual tax rate must be set by ordinance, resolution, or order,
depending on the method prescribed by law for adoption of a law by
the governing body. The vote on the ordinance, resolution, or order
setting the tax rate must be separate from the vote adopting the
budget. The vote on the ordinance, resolution, or order setting a

1 tax rate that exceeds the effective tax rate must be a record vote.
2 A motion to adopt an ordinance, resolution, or order setting a tax
3 rate that exceeds the effective tax rate must be made in the
4 following form: "I move that [~~the property tax rate be increased by~~
5 ~~the adoption of~~] a tax rate of (specify tax rate) be adopted, which
6 will (insert increase/decrease) total property tax revenues in the
7 (insert name of taxing jurisdiction) by [is effectively a] (insert
8 ~~percentage by which the proposed tax rate exceeds the effective tax~~
9 ~~rate~~ the total dollar amount of increased property tax collections)
10 ~~percent [increase in the tax rate]~~ and will (insert
11 decrease/increase) the property taxes on the median value homestead
12 residence by \$(insert the amount of the decrease/increase)."

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2019.