

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

1 amending Subsection (e) and adding Subsection (f) to read as
2 follows:

3 (e) In addition to any other requirement imposed by law for
4 a proposition, including a provision prescribing the proposition
5 language, a proposition in an election of a political subdivision,
6 including a city, county, school district, or special taxing
7 district, submitted to the voters for approval of [~~the issuance of~~
8 ~~bonds or~~] the imposition, increase, or reduction of a tax shall
9 specifically state, as applicable:

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

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

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

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

19 (A) [~~7~~] the amount of or maximum tax rate of the
20 tax or tax increase for which approval is sought;

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

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

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

3 (A) [~~7~~] the amount of tax rate reduction or the
4 tax rate for which approval is sought; and

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

9 (f) A proposition to which Subsection (e) applies or for
10 approval of the issuance of bonds may not exceed:

11 (1) 5,000 characters; or

12 (2) a different limit prescribed by the secretary of
13 state that ensures that the length of the proposition does not
14 exceed one page of the ballot or one screen on an electronic voting
15 machine.

16 SECTION 3. Chapter 1251, Government Code, is amended by
17 designating Sections 1251.001, 1251.002, 1251.003, 1251.004,
18 1251.005, and 1251.006 as Subchapter A and adding a subchapter
19 heading to read as follows:

20 SUBCHAPTER A. PROVISIONS RELATING GENERALLY TO BOND ELECTIONS

21 SECTION 4. Chapter 1251, Government Code, is amended by
22 adding Subchapter B to read as follows:

23 SUBCHAPTER B. BALLOT PROPOSITION FOR BONDS ISSUED BY POLITICAL

24 SUBDIVISION

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

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

3 (1) a plain language description of each single
4 specific purpose for which the bonds are to be authorized;

5 (2) the total principal amount of the bonds;

6 (3) the total amount of the political subdivision's
7 debt secured by ad valorem taxes currently outstanding;

8 (4) the total amount of the political subdivision's
9 current payments on debt secured by ad valorem taxes;

10 (5) the amount of taxes required to be imposed on a
11 homestead with a value equal to the median homestead value in the
12 political subdivision, as computed by the appraisal district, to
13 repay the political subdivision's current debt obligations secured
14 by ad valorem taxes; and

15 (6) the estimated tax burden that would be imposed on a
16 homestead with a value equal to the median homestead value in the
17 political subdivision, as computed by the appraisal district, to
18 repay the bonds to be authorized, if approved.

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

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

24 (g) Notwithstanding Section 52.072, Election Code, and
25 Section 1251.052, Government Code, the question of whether to
26 approve the issuance of bonds for the construction, acquisition,
27 and equipment of school buildings in the district and the purchase

1 of necessary sites for school buildings may be submitted to the
2 voters in a single ballot proposition, except that bonds for each of
3 the following purposes must be stated in a separate proposition:

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

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

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

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

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

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

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

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

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