87R5347 SMT-D

By:  Allison H.B. No. 741

A BILL TO BE ENTITLED

AN ACT

relating to voter approval of a county or municipal budget that reduces by a certain percentage the amount allocated to provide a fire protection, law enforcement, or emergency medical service.

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

SECTION 1.  Chapter 140, Local Government Code, is amended by adding Section 140.0047 to read as follows:

Sec. 140.0047.  ELECTION REQUIRED FOR REDUCTION IN BUDGET FOR PUBLIC SAFETY SERVICES. (a) In this section, "public safety service" means a fire protection, law enforcement, or emergency medical service.

(b)  If a county or municipality adopts a budget in which the amount of money allocated to provide for a public safety service is less than the amount allocated to provide for that service in the preceding fiscal year by more than five percent, the registered voters of the county or municipality, as applicable, at an election held for that purpose, must determine whether to approve the amount allocated.

(c)  The governing body of the county or municipality shall order that the election be held in the county or municipality, as applicable, on the earliest date that allows sufficient time to comply with the requirements of other law for holding the election, except Section 41.001(a), Election Code. Notwithstanding Section 41.001(a), Election Code, the county or municipality may hold the election on a date other than a uniform election date.

(d)  If a majority of votes cast in the election favor approving the amount allocated for the public safety service, the budget is approved. If the amount allocated is not approved, the governing body shall amend the budget by allocating for the public safety service an amount for the current fiscal year that is not less than 95 percent of the amount allocated for that service in the preceding fiscal year.

(e)  For purposes of this section, the amount allocated in a budget to provide a service includes all maintenance, operations, and debt service costs associated with providing the service.

SECTION 2.  The change in law made by this Act applies only to a budget adopted by a county or municipality on or after the effective date of this Act.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.