

By: Jetton, Metcalf, Bell of Montgomery,
et al.

H.B. No. 1154

Substitute the following for H.B. No. 1154:

By: Anderson

C.S.H.B. No. 1154

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a requirement that certain political subdivisions cause
3 certain financial and operating information to be posted on an
4 Internet website.

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

6 SECTION 1. Section 403.0241(c), Government Code, is amended
7 to read as follows:

8 (c) For each special purpose district described by
9 Subsection (b), the database must include:

- 10 (1) the name of the special purpose district;
- 11 (2) the name of each board member of the special
12 purpose district;
- 13 (3) contact information for the main office of the
14 special purpose district, including the physical address, the
15 mailing address, and the main telephone number;
- 16 (4) if the special purpose district employs a person
17 as a general manager or executive director, or in another position
18 to perform duties or functions comparable to those of a general
19 manager or executive director, the name of the employee;
- 20 (5) if the special purpose district contracts with a
21 utility operator, contact information for a person representing the
22 utility operator, including a mailing address and a telephone
23 number;
- 24 (6) if the special purpose district contracts with a

1 tax assessor-collector, contact information for a person
2 representing the tax assessor-collector, including a mailing
3 address and telephone number;

4 (7) the special purpose district's Internet website
5 address or, if the district does not maintain an Internet website,
6 the address of any Internet website or websites the district uses to
7 comply with Section 2051.202 of this code and Section 26.18, Tax
8 Code [if any];

9 (8) the financial information described by Section
10 140.008(b) or (g), Local Government Code, including any revenue
11 obligations;

12 (9) the total amount of bonds authorized by the voters
13 of the special purpose district that are payable wholly or partly
14 from ad valorem taxes, excluding refunding bonds if refunding bonds
15 were separately authorized and excluding contract revenue bonds;

16 (10) the aggregate initial principal amount of all
17 bonds issued by the special purpose district that are payable
18 wholly or partly from ad valorem taxes, excluding refunding bonds
19 and contract revenue bonds;

20 (11) the rate of any sales and use tax the special
21 purpose district imposes;

22 (12) for a special purpose district that imposes an ad
23 valorem tax:

24 (A) the ad valorem tax rate for the most recent
25 tax year if the district is a district as defined by Section 49.001,
26 Water Code; or

27 (B) the table of ad valorem tax rates for the most

1 recent tax year described by Section 26.16, Tax Code, in the form
2 required by that section, if the district is not a district as
3 defined by Section 49.001, Water Code; and

4 (13) a link to the Internet website described by
5 Section 49.062(g), Water Code, with a plain-language description of
6 how a resident may petition to require that board meetings of
7 certain special purpose districts be held not further than 10 miles
8 from the boundary of the district.

9 SECTION 2. Section 551.1283, Government Code, is amended by
10 adding Subsection (d) to read as follows:

11 (d) A district that maintains an Internet website shall post
12 on that website links to any other Internet website or websites the
13 district uses to comply with Section 2051.202 of this code and
14 Section 26.18, Tax Code.

15 SECTION 3. Subchapter E, Chapter 2051, Government Code, as
16 added by Chapter 1029 (H.B. 305), Acts of the 86th Legislature,
17 Regular Session, 2019, is redesignated as Subchapter F, Chapter
18 2051, Government Code, and amended to read as follows:

19 SUBCHAPTER F [~~E~~]. INTERNET WEBSITE

20 Sec. 2051.201 [~~2051.151~~]. [~~APPLICABILITY OF SUBCHAPTER.~~
21 ~~Except as provided by Section 2051.152(b), this subchapter applies~~
22 ~~only to a political subdivision with the authority to impose a tax~~
23 ~~that at any time on or after January 1, 2019, maintained a publicly~~
24 ~~accessible Internet website.~~

25 [~~Sec. 2051.152.~~] INFORMATION REQUIRED ON WEBSITE. (a) This
26 section applies only to a political subdivision:

27 (1) with the authority to impose a tax that at any time

1 on or after January 1, 2019, maintained a publicly accessible
2 Internet website; and

3 (2) that is not subject to Section 2051.202.

4 (b) A political subdivision to which this section applies
5 shall post on a publicly accessible Internet website the following
6 information:

7 (1) the political subdivision's contact information,
8 including a mailing address, telephone number, and e-mail address;

9 (2) each elected officer of the political subdivision;

10 (3) the date and location of the next election for
11 officers of the political subdivision;

12 (4) the requirements and deadline for filing for
13 candidacy of each elected office of the political subdivision,
14 which shall be continuously posted for at least one year before the
15 election day for the office;

16 (5) each notice of a meeting of the political
17 subdivision's governing body under Subchapter C, Chapter 551; and

18 (6) each record of a meeting of the political
19 subdivision's governing body under Section 551.021.

20 (c) ~~[(b)]~~ Subsections (b)(5) ~~[(a)(5)]~~ and (6) do not apply
21 to:

22 (1) a county with a population of less than 10,000;

23 (2) a municipality with a population of less than
24 5,000 located in a county with a population of less than 25,000; or

25 (3) a school district with a population of less than
26 5,000 in the district's boundaries and located in a county with a
27 population of less than 25,000.

1 Sec. 2051.202. FINANCIAL AND OPERATING INFORMATION OF
2 SPECIAL PURPOSE DISTRICTS. (a) In this section, "special purpose
3 district" means a political subdivision of this state with
4 geographic boundaries that define the subdivision's territorial
5 jurisdiction. The term does not include a municipality, county,
6 junior college district, independent school district, or political
7 subdivision with statewide jurisdiction.

8 (b) This section applies only to a special purpose district
9 that:

10 (1) is authorized by the state by a general or special
11 law to impose an ad valorem tax;

12 (2) during the most recent fiscal year imposed an ad
13 valorem tax;

14 (3) during the most recent fiscal year:

15 (A) had bonds outstanding;

16 (B) had gross receipts from operations, loans,
17 taxes, or contributions in excess of \$250,000; or

18 (C) had cash and temporary investments in excess
19 of \$250,000; and

20 (4) at the beginning of the most recent fiscal year,
21 had a population of 500 or more, as determined by the governing body
22 of the special purpose district.

23 (c) A special purpose district shall post or cause to be
24 posted on an Internet website the following information, if
25 applicable:

26 (1) the name of the special purpose district;

27 (2) the name of each member of the governing body of

- 1 the special purpose district;
2 (3) the term of office for each member of the governing
3 body of the special purpose district;
4 (4) contact information for the main office of the
5 special purpose district, including the physical address, the
6 mailing address, and the telephone number;
7 (5) if the special purpose district employs a person
8 as a general manager or executive director, or in another position
9 to perform duties or functions comparable to those of a general
10 manager or executive director, the name of the employee;
11 (6) if the special purpose district contracts with a
12 utility operator, contact information for a person representing the
13 utility operator, including a mailing address and the telephone
14 number;
15 (7) if the special purpose district contracts with a
16 tax assessor-collector, contact information for a person
17 representing the tax assessor-collector, including a mailing
18 address and the telephone number;
19 (8) the rate of the ad valorem tax of the special
20 purpose district;
21 (9) the rate of the sales and use tax of the special
22 purpose district, if the special purpose district imposes a sales
23 and use tax;
24 (10) any notice of tax hearing required to be given
25 under Chapter 26, Tax Code, or Section 49.236, Water Code;
26 (11) the regular location or locations of meetings of
27 the governing body of the special purpose district and the regular

1 schedule of meetings, if there is a regular schedule;

2 (12) a link to the Internet website described by
3 Section 49.062(g), Water Code;

4 (13) each notice of a meeting of the governing body of
5 the special purpose district under Subchapter C, Chapter 551, for
6 meetings conducted in the current calendar year and the immediately
7 preceding calendar year;

8 (14) the minutes of a public meeting of the governing
9 body of the special purpose district under Section 551.021 for
10 meetings conducted in the current calendar year and the immediately
11 preceding calendar year; and

12 (15) the most recent financial audit of the special
13 purpose district.

14 (d) A special purpose district may satisfy all or part of
15 the requirements of this section by providing a link or reference on
16 the special purpose district's Internet website or another Internet
17 website to the same information required to be posted on another
18 Internet website by other law.

19 SECTION 4. Section 49.0631, Water Code, is amended to read
20 as follows:

21 Sec. 49.0631. DISTRICT [~~MEETING~~] INFORMATION ON WATER BILL.
22 A district providing potable water or sewer service shall as a part
23 of the district's billing process include on a district's bill to a
24 customer the following statement: "For more information about the
25 district, including information about the district's board and
26 board meetings, please go to the Comptroller's Special Purpose
27 District Public Information Database or (district's Internet

1 website if the district maintains an Internet website, or, if the
2 district does not maintain an Internet website, the Internet
3 website or websites the district uses to comply with Section
4 2051.202, Government Code, and Section 26.18, Tax Code)." The
5 statement may be altered to provide the current Internet website
6 address of [~~either~~] the database created under Section 403.0241,
7 Government Code, [~~or~~] the district, or the Internet website or
8 websites the district uses to comply with Section 2051.202,
9 Government Code, and Section 26.18, Tax Code.

10 SECTION 5. Sections 2051.202(c)(13) and (14), Government
11 Code, as added by this Act, apply only to a meeting held by a special
12 purpose district on or after the effective date of this Act.

13 SECTION 6. To the extent of any conflict, this Act prevails
14 over another Act of the 87th Legislature, Regular Session, 2021,
15 relating to nonsubstantive additions to and corrections in enacted
16 codes.

17 SECTION 7. This Act takes effect September 1, 2021.