By: Muñoz, Jr.

H.B. No. 3120

A BILL TO BE ENTITLED

1      AN ACT

2  relating to the calculation of the voter-approval tax rate of

3  certain junior college districts.

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

5      SECTION 1.  Section 26.012, Tax Code, is amended by adding

6  Subdivision (18-c) and amending Subdivision (19) to read as

7  follows:

8          (18-c) "Special junior college district" means a

9  junior college district:

10              (A) whose service area boundaries and taxing

11  district boundaries are identical; and

12              (B) that is located in at least one county

13  adjacent to an international border.

14          (19) "Special taxing unit" means:

15              (A) a taxing unit, other than a school district,

16  for which the maintenance and operations tax rate proposed for the

17  current tax year is 2.5 cents or less per $100 of taxable value;

18              (B) a junior college district, including a

19  special junior college district; or

20              (C) a hospital district.

21      SECTION 2.  Section 26.04(c), Tax Code, is amended to read as

22  follows:

23      (c) After the assessor for the taxing unit submits the

24  appraisal roll for the taxing unit to the governing body of the

1  taxing unit as required by Subsection (b), an officer or employee

2  designated by the governing body shall calculate the no-new-revenue

3  tax rate and the voter-approval tax rate for the taxing unit, where:

4          (1) "No-new-revenue tax rate" means a rate expressed

5  in dollars per \$100 of taxable value calculated according to the

6  following formula:

7          NO-NEW-REVENUE TAX RATE = (LAST YEAR'S LEVY - LOST PROPERTY

8  LEVY) / (CURRENT TOTAL VALUE - NEW PROPERTY VALUE)

9      ; and

10         (2) "Voter-approval tax rate" means a rate expressed

11 in dollars per \$100 of taxable value calculated according to the

12 following applicable formula:

13             (A) for a special taxing unit other than a

14 special junior college district:

15     VOTER-APPROVAL TAX RATE = (NO-NEW-REVENUE MAINTENANCE AND

16 OPERATIONS RATE x 1.08) + CURRENT DEBT RATE

17     ; [or]

18             (B) for a special taxing unit that is a special

19 junior college district:

20     VOTER-APPROVAL TAX RATE = (NO-NEW-REVENUE MAINTENANCE AND

21 OPERATIONS RATE x 1.03) + CURRENT DEBT RATE

22     ; or

23             (C) for a taxing unit other than a special taxing

24 unit:

25     VOTER-APPROVAL TAX RATE = (NO-NEW-REVENUE MAINTENANCE AND

26 OPERATIONS RATE x 1.035) + (CURRENT DEBT RATE + UNUSED INCREMENT

27 RATE)

1 　　　SECTION 3.  Section 26.042(a), Tax Code, is amended to read
2 as follows:
3 　　　(a)  Notwithstanding Sections 26.04 and 26.041, the
4 governing body of a taxing unit other than a school district or a
5 special taxing unit may direct the designated officer or employee
6 to calculate the voter-approval tax rate of the taxing unit in the
7 manner provided for a special taxing unit other than a special
8 junior college district if any part of the taxing unit is located in
9 an area declared a disaster area during the current tax year by the
10 governor or by the president of the United States and at least one
11 person is granted an exemption under Section 11.35 for property
12 located in the taxing unit.  The designated officer or employee
13 shall continue calculating the voter-approval tax rate in the
14 manner provided by this subsection until the earlier of:
15 　　　　　(1)  the first tax year in which the total taxable value
16 of property taxable by the taxing unit as shown on the appraisal
17 roll for the taxing unit submitted by the assessor for the taxing
18 unit to the governing body exceeds the total taxable value of
19 property taxable by the taxing unit on January 1 of the tax year in
20 which the disaster occurred; or
21 　　　　　(2)  the third tax year after the tax year in which the
22 disaster occurred.
23 　　　SECTION 4.  Section 26.075(b), Tax Code, is amended to read
24 as follows:
25 　　　(b)  This section applies to a taxing unit only in a tax year
26 in which the taxing unit's:
27 　　　　　(1)  de  minimis  rate  exceeds  the  taxing  unit's

1  voter-approval tax rate; and

2          (2)  adopted tax rate is:

3                (A)  equal to or lower than the taxing unit's de

4  minimis rate; and

5                (B)  greater  than  the  greater  of  the  taxing

6  unit's:

7                      (i)  voter-approval tax rate calculated as

8  if the taxing unit were a special taxing unit other than a special

9  junior college district; or

10                     (ii)  voter-approval tax rate.

11       SECTION 5.  This Act applies only to ad valorem taxes imposed

12  for an ad valorem tax year that begins on or after the effective

13  date of this Act.

14       SECTION 6.  This Act takes effect January 1, 2024.