

By: Troxclair

H.B. No. 220

A BILL TO BE ENTITLED

AN ACT

relating to the vote required by the governing body of a taxing unit to adopt an ad valorem tax rate that exceeds the voter-approval tax rate or authorize the issuance of tax bonds.

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

SECTION 1. Chapter 1253, Government Code, is amended by adding Section 1253.004 to read as follows:

Sec. 1253.004. SUPERMAJORITY VOTE OF GOVERNING BODY REQUIRED TO APPROVE GENERAL OBLIGATION BONDS. Notwithstanding any other law, a political subdivision may not issue general obligation bonds unless at least 60 percent of the members of the governing body of the political subdivision vote in favor of issuing the bonds in the manner prescribed by law for official action by the governing body.

SECTION 2. Chapter 26, Tax Code, is amended by adding Section 26.0502 to read as follows:

Sec. 26.0502. ADOPTION OF PROPOSED TAX RATE THAT EXCEEDS VOTER-APPROVAL TAX RATE FOLLOWING ELECTION. (a) This section applies only to the adoption of an annual tax rate that exceeds the voter-approval rate by a taxing unit for the tax year following a tax year in which a proposition to approve a tax rate that exceeds the voter-approval rate was not approved by the voters in an election required by Section 26.07 or Section 26.08.

(b) Notwithstanding any other law, a taxing unit may not

adopt an annual tax rate that exceeds the voter-approval tax rate unless at least 80 percent of the members of the governing body of the taxing unit by record vote approve the ordinance, resolution, or order setting the tax rate.

SECTION 3. Subchapter H, Chapter 49, Water Code, is amended by adding Section 49.23604 to read as follows:

Sec. 49.23604. ADOPTION OF PROPOSED TAX RATE THAT EXCEEDS VOTER-APPROVAL TAX RATE FOLLOWING ELECTION. (a) This section applies only to the adoption of an ad valorem tax rate for a district for the tax year following a tax year in which a proposition to approve a tax rate for the district was not approved by the voters in an election required by Section 49.23601, 49.23602, or 49.23603.

(b) Notwithstanding any other law, unless at least 80 percent of the members of the board of a district vote in favor of adopting the tax rate, the board of a district may not adopt a combined debt service, contract, and operation and maintenance tax rate that exceeds:

(1) the voter-approval tax rate as determined under Section 49.23601(a), for a district described by Section 49.23601(b);

(2) the mandatory tax election rate as determined under Section 49.23602(a), for a district described by Section 49.23602(b); or

(3) the voter-approval tax rate as determined under Section 49.23603(a), for a district described by Section 49.23603(b).

1 SECTION 4. Section 1253.004, Government Code, as added by
2 this Act, applies only to general obligation bonds authorized to be
3 issued by the governing body of a political subdivision on or after
4 the effective date of this Act.

5 SECTION 5. Section 26.0502, Tax Code, and Section 49.23604,
6 Water Code, as added by this Act, apply only to a tax year that
7 begins on or after the effective date of this Act.

8 SECTION 6. This Act takes effect on the 91st day after the
9 last day of the legislative session.