

By: Cain

H.B. No. 2736

A BILL TO BE ENTITLED

AN ACT

relating to an election authorizing the issuance of bonds or an increase in taxes by a political subdivision.

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

SECTION 1. The heading to Chapter 2, Election Code, is amended to read as follows:

CHAPTER 2. VOTE REQUIRED FOR ELECTION [~~TO OFFICE~~]

SECTION 2. Section Chapter 2, Election Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. SUPERMAJORITY REQUIREMENT FOR CERTAIN ELECTIONS

Sec. 2.101. POLITICAL SUBDIVISION BOND OR TAX ELECTION.

Notwithstanding any other law, an election held by a political subdivision to authorize the issuance of bonds or to increase taxes does not authorize the issuance of the bonds or the increase in taxes unless at least two-thirds of the voters voting in the election vote in favor of authorizing the issuance of bonds.

SECTION 3. Subchapter A, Chapter 41, Election Code, is amended by adding Section 41.0051 to read as follows:

Sec. 41.0051. ELECTION TO ISSUE BONDS OR INCREASE TAXES.

(a) Notwithstanding any other law, an election required for the issuance of bonds or to increase taxes by a political subdivision shall be held on the November uniform election date.

(b) This section does not apply to an election under Section 26.07 or 26.08, Tax Code.

SECTION 4. Section 1251.001, Government Code, is amended to read as follows:

Sec. 1251.001. BOND ELECTION REQUIRED. (a) A political subdivision [~~county or municipality~~] may not issue bonds [~~that are to be paid from ad valorem taxes~~] unless the issuance is first approved by the qualified voters of the political subdivision [~~county or municipality~~] in an election.

(b) To the extent of a conflict between this section and another law, this section controls.

SECTION 5. The changes in law made by this Act apply only to bond elections or tax increase elections ordered on or after the effective date of this Act. A bond election or tax increase election ordered before the effective date of this Act is governed by the law in effect when the bond election was ordered, and the former law is continued in effect for that purpose.

SECTION 6. 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, 2025.