

By: Turner of Tarrant

H.B. No. 3485

A BILL TO BE ENTITLED

AN ACT

relating to the addition of certain municipalities to the territory of a regional transportation authority.

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

SECTION 1. Subchapter P, Chapter 452, Transportation Code, is amended by adding Section 452.6026 to read as follows:

Sec. 452.6026. ADDITION OF CERTAIN MUNICIPALITIES BY ELECTION; DELAYED ENTRY. (a) In this section, "special sales and use tax" means a sales and use tax levied by a municipality that is in excess of one percent.

(b) This section applies only to a municipality that levies a special sales and use tax that, when combined with the authority's sales and use tax, would result in a sales and use tax rate of more than two percent in the territory of the municipality.

(c) A municipality that does not have territory that is part of an authority may be added to the territory of an authority on a date determined by the executive committee if:

(1) any part of the territory of the municipality is located in a county in which the authority has territory or in a county that is adjacent to a county in which the authority has territory;

(2) the executive committee states, by resolution, the authority's intention to provide transportation services in the territory of the municipality;

1           (3) the governing body of the municipality calls an  
2 election on the addition of the territory of the municipality to the  
3 territory of the authority; and

4           (4) a majority of the votes cast in the election favor  
5 the proposition.

6           (d) At any time after the date of the election approving the  
7 addition of the territory of the municipality to the territory of  
8 the authority, the executive committee and the governing body of  
9 the municipality may enter into an interlocal agreement that  
10 provides for the eventual admission of the territory of the  
11 municipality to the territory of the authority, provided that the  
12 admission of the territory of the municipality to the territory of  
13 the authority is delayed until the municipality's special sales and  
14 use tax is reduced to a rate that will not impair the imposition of  
15 the authority's sales and use tax.

16           (e) Notwithstanding Section 452.607, a sales and use tax  
17 imposed by the authority takes effect in the territory of the  
18 municipality on the first day of the first calendar quarter that  
19 begins after the date the comptroller receives a certified copy of  
20 an order adopted by the executive committee adding the territory of  
21 the municipality, accompanied by a map of the authority clearly  
22 showing the territory added.

23           SECTION 2. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2015.