

## CHAPTER 294

## H.B. No. 394

## AN ACT

relating to the maximum tax rate of certain emergency services districts.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 775.018(a), Health and Safety Code, is amended to read as follows:

(a) Except as provided by Subsection (b), on the granting of a petition, the commissioners court shall order an election to confirm the district's creation and authorize the imposition of a tax not to exceed 10 cents on each \$100 of the taxable value of property taxable by the district or ~~three~~ *two* cents on each \$100 of the taxable value of property taxable by the district if any area in the district is also included in a rural fire prevention district.

SECTION 2. Subchapter E, Chapter 775, Health and Safety Code, is amended by adding Section 775.0742 to read as follows:

*Sec. 775.0742. INCREASE OF MAXIMUM TAX RATE. (a) This section applies only to a district:*

*(1) in which some area of the district is included in a rural fire prevention district or was included at the time the district was created; and*

*(2) that had previously authorized the levy of a tax not to exceed two cents on each \$100 of the taxable value of the property taxable by the district.*

*(b) The board may order an election on the question of increasing the district's tax rate to three cents on each \$100 of the taxable value of the property taxable by the district.*

*(c) The election shall be held on the first authorized uniform election date that allows sufficient time to comply with other requirements of law.*

*(d) The ballot for the election shall be printed to permit voting for or against the proposition: "The levy of annual taxes by the district at a rate not to exceed three cents on each \$100 of the taxable value of property taxable by the district." The election shall be held in accordance with the applicable provisions of the Election Code.*

*(e) The board shall meet and canvass the election returns. If the board finds that the election results are favorable to the proposition, the board may levy taxes as authorized by the proposition. If the board finds that the election results are not favorable to the proposition, another election on the question of raising the district's maximum tax rate may not be held before the first anniversary of the date of the election at which voters disapproved the proposition.*

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on March 23, 1993, by a non-record vote; passed the Senate on May 14, 1993: Yeas 29, Nays 0.

Approved May 26, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.