

SENATE JOINT RESOLUTION

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proposing a constitutional amendment authorizing the legislature to permit the voters of a municipality with a population of less than 10,000 to authorize the governing body of the municipality to enter into an agreement with an owner of real property in or adjacent to an area in the municipality that has been approved for funding under certain revitalization or redevelopment programs to prohibit ad valorem tax increases on the owner's property for a limited period.

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

SECTION 1. Article VIII, Texas Constitution, is amended by adding Section 1-o to read as follows:

Sec. 1-o. To aid in the elimination of slum and blighted conditions in less populated communities in this state, to promote rural economic development in this state, and to improve the economy of this state, the legislature by general law may authorize the governing body of a municipality having a population of less than 10,000, in the manner required by law, to call an election to permit the voters to determine by majority vote whether to authorize the governing body of the municipality to enter into an agreement with an owner of real property that is located in or adjacent to a designated area of the municipality that has been approved for funding under the Downtown Revitalization Program or the Main Street Improvements Program administered by the

Department of Agriculture, or a successor program administered by that agency, under which the parties agree that the ad valorem taxes imposed by any political subdivision on the owner's real property may not be increased for the first five tax years after the tax year in which the agreement is entered into, subject to the terms and conditions provided by the agreement. A general law enacted under this section must provide that, if authorized by the voters, an agreement to limit ad valorem tax increases authorized by this section:

(1) must be entered into by the governing body of the municipality and a property owner before December 31 of the tax year in which the election was held;

(2) takes effect as to a parcel of real property on January 1 of the tax year following the tax year in which the governing body and the property owner enter into the agreement;

(3) applies to ad valorem taxes imposed by any political subdivision on the real property covered by the agreement; and

(4) expires on the earlier of:

(A) January 1 of the sixth tax year following the tax year in which the governing body and the property owner enter into the agreement; or

(B) January 1 of the first tax year in which the owner of the property when the agreement was entered into ceases to own the property.

SECTION 2. The following temporary provision is added to the Texas Constitution:

1           TEMPORARY PROVISION. (a) This temporary provision applies  
 2 to the constitutional amendment proposed by the 80th Legislature,  
 3 Regular Session, 2007, authorizing the legislature to permit the  
 4 voters of a municipality having a population of less than 10,000 to  
 5 authorize the governing body of the municipality to enter into an  
 6 agreement with an owner of real property in or adjacent to an area  
 7 in the municipality that has been approved for funding under  
 8 certain revitalization or redevelopment programs to prohibit ad  
 9 valorem tax increases on the owner's property for a limited period  
 10 and expires January 1, 2009.

11           (b) Section 1-o, Article VIII, of this constitution takes  
 12 effect January 1, 2008, and applies only to a tax year that begins  
 13 on or after that date.

14           SECTION 3. This proposed constitutional amendment shall be  
 15 submitted to the voters at an election to be held November 6, 2007.  
 16 The ballot shall be printed to permit voting for or against the  
 17 proposition: "The constitutional amendment authorizing the  
 18 legislature to permit the voters of a municipality having a  
 19 population of less than 10,000 to authorize the governing body of  
 20 the municipality to enter into an agreement with an owner of real  
 21 property in or adjacent to an area in the municipality that has been  
 22 approved for funding under certain programs administered by the  
 23 Texas Department of Agriculture under which the parties agree that  
 24 all ad valorem taxes imposed on the owner's property may not be  
 25 increased for the first five tax years after the tax year in which  
 26 the agreement is entered into."

Use  
See

S.J.R. No. 44

David Newkum  
President of the Senate

Jim Cusick  
Speaker of the House

I hereby certify that S.J.R. No. 44 was adopted by the Senate on April 27, 2007, by the following vote: Yeas 31, Nays 0.

Letsy Spaw  
Secretary of the Senate

I hereby certify that S.J.R. No. 44 was adopted by the House on May 22, 2007, by the following vote: Yeas 149, Nays 0, one present not voting.

Robert Haney  
Chief Clerk of the House

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
2:30 O'CLOCK

MAY 23 2007  
Robert Haney  
Secretary of State