

AN ACT

relating to the authority of certain counties to create county assistance districts for certain purposes.

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

SECTION 1. Section 387.002, Local Government Code, is amended to read as follows:

Sec. 387.002. APPLICABILITY. This chapter applies only to a county that has a population of less than 45,000 if:

(1) ~~and~~ any portion of the county ~~[which]~~ is included in an authority governed by Chapter 451 or 452, Transportation Code; or

(2) the county does not contain any part of a municipality that, before the commissioners court of the county calls an election on the question of creating a district under Section 387.003, has:

(A) created a development corporation under Section 4A or 4B, Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes); or

(B) imposed a sales and use tax that when combined with any other sales and use tax applicable in the municipality, exceeds two percent.

SECTION 2. Section 387.003(a), Local Government Code, is amended to read as follows:

(a) The commissioners court of the county may call an

1 election on the question of creating a county assistance district
2 under this chapter to perform the following functions in the
3 district:

4 (1) the construction, maintenance, or improvement of
5 roads or highways;

6 (2) the provision of law enforcement and detention
7 services;

8 (3) the maintenance or improvement of libraries,
9 museums, parks, or other recreational facilities; [~~or~~]

10 (4) the provision of services that benefit the public
11 health or welfare; or

12 (5) the promotion of economic development and tourism.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2005.

David Swihart

President of the Senate

Jim Cuddih

Speaker of the House

I certify that H.B. No. 1937 was passed by the House on April 22, 2005, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 1937 was passed by the Senate on May 19, 2005, by the following vote: Yeas 31, Nays 0.

Letsy Spaw
Secretary of the Senate

APPROVED:

18 JUNE '05

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM O'CLOCK

Roger Williams
Secretary of State