

AN ACT

relating to the merger of emergency services districts.

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

SECTION 1. Subchapter B, Chapter 775, Health and Safety Code, is amended by adding Section 775.024 to read as follows:

Sec. 775.024. MERGER OF EMERGENCY SERVICES DISTRICTS. (a)

Two or more emergency services districts may merge into a single emergency services district as provided by this section if:

(1) the board of each of the districts votes in favor of the merger; and

(2) the residents of each district approve the merger in an election held for that purpose.

(b) The boards shall agree on a name for the proposed merged district and choose five commissioners from among the membership of the boards to serve on the initial board for the proposed district. The boards shall agree to stagger the terms appropriately.

(c) The ballot for the election to approve a merger shall be printed to permit voting for or against the proposition: "The merger of the \_\_\_\_\_ (insert district names) to create the \_\_\_\_\_ (insert name of proposed district), which assumes all outstanding debts of the merged districts."

(d) If a majority of the voters voting in each district favor the merger, the merged district is created. If less than a majority of the voters voting in any of the districts are in favor

1 of the merger, the vote fails and the districts are not merged.

2 (e) The maximum tax rate that may be imposed by the merged  
3 district may not exceed the maximum tax rate authorized for any of  
4 the previous districts.

5 (f) The merged district assumes all powers, rights, duties,  
6 assets, and liabilities of the former districts without a change in  
7 status. The merger does not diminish or impair the rights of the  
8 holders of any outstanding and unpaid bonds, warrants, or  
9 obligations of the district.

10 SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2005.

David Dewhurst

President of the Senate

Tom Cuddeback

Speaker of the House

I certify that H.B. No. 2235 was passed by the House on May 13, 2005, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 2235 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Daisy Spaw

Secretary of the Senate

APPROVED:

18 JUNE '05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
12:20 PM, O'CLOCK

Roger Newsum  
Secretary of State