

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to allow cities or counties to enter into interlocal contracts with other cities or counties without the imposition of a tax or the provision of a sinking fund.

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

SECTION 1. Section 5, Article XI, Texas Constitution, is amended to read as follows:

Sec. 5. (a) Cities having more than five thousand (5000) inhabitants may, by a majority vote of the qualified voters of said city, at an election held for that purpose, adopt or amend their charters. If the number of inhabitants of cities that have adopted or amended their charters under this section is reduced to five thousand (5000) or fewer, the cities still may amend their charters by a majority vote of the qualified voters of said city at an election held for that purpose. The adoption or amendment of charters is subject to such limitations as may be prescribed by the Legislature, and no charter or any ordinance passed under said charter shall contain any provision inconsistent with the Constitution of the State, or of the general laws enacted by the Legislature of this State. Said cities may levy, assess and collect such taxes as may be authorized by law or by their charters; but no tax for any purpose shall ever be lawful for any one year, which shall exceed two and one-half per cent. of the taxable property of

1 such city, and no debt shall ever be created by any city, unless at
2 the same time provision be made to assess and collect annually a
3 sufficient sum to pay the interest thereon and creating a sinking
4 fund of at least two per cent. thereon, except as provided by
5 Subsection (b). Furthermore, no city charter shall be altered,
6 amended or repealed oftener than every two years.

7 (b) To increase efficiency and effectiveness to the
8 greatest extent possible, the legislature may by general law
9 authorize cities to enter into interlocal contracts with other
10 cities or counties without meeting the assessment and sinking fund
11 requirements under Subsection (a).

12 SECTION 2. Section 7, Article XI, Texas Constitution, is
13 amended to read as follows:

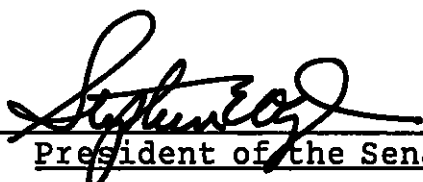
14 Sec. 7. (a) All counties and cities bordering on the coast
15 of the Gulf of Mexico are hereby authorized upon a vote of the
16 majority of the qualified voters voting thereon at an election
17 called for such purpose to levy and collect such tax for
18 construction of sea walls, breakwaters, or sanitary purposes, as
19 may now or may hereafter be authorized by law, and may create a debt
20 for such works and issue bonds in evidence thereof. But no debt for
21 any purpose shall ever be incurred in any manner by any city or
22 county unless provision is made, at the time of creating the same,
23 for levying and collecting a sufficient tax to pay the interest
24 thereon and provide at least two per cent (2%) as a sinking fund,
25 except as provided by Subsection (b); and the condemnation of the
26 right of way for the erection of such works shall be fully provided
27 for.

DEE
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S.J.R. No. 26

1 (b) To increase efficiency and effectiveness to the
2 greatest extent possible, the legislature may by general law
3 authorize cities or counties to enter into interlocal contracts
4 with other cities or counties without meeting the tax and sinking
5 fund requirements under Subsection (a).

6 SECTION 3. This proposed constitutional amendment shall be
7 submitted to the voters at an election to be held November 8, 2011.
8 The ballot shall be printed to permit voting for or against the
9 proposition: "The constitutional amendment authorizing the
10 legislature to allow cities or counties to enter into interlocal
11 contracts with other cities or counties without the imposition of a
12 tax or the provision of a sinking fund." _____

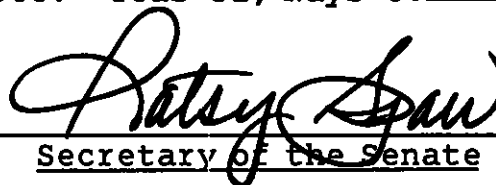


President of the Senate



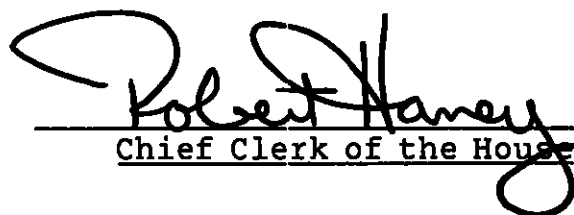
Speaker of the House

I hereby certify that S.J.R. No. 26 was adopted by the Senate
on March 31, 2011, by the following vote: Yeas 31, Nays 0. _____



Secretary of the Senate

I hereby certify that S.J.R. No. 26 was adopted by the House
on May 24, 2011, by the following vote: Yeas 144, Nays 0, one
present not voting. _____



Chief Clerk of the House