

BILL ANALYSIS

Senate Research Center

S.J.R. 40
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Intergovernmental Relations
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As Filed

DIGEST

Currently, the Texas Constitution does not contain provisions empowering Bexar County and certain political subdivisions to adopt a charter which would permit consolidation into a single merged government.

PURPOSE

As proposed, S.J.R. 40 requires submission to the voters of a constitutional amendment to authorize the voters of Bexar County and certain political subdivisions to create a consolidated county government by adopting a charter restructuring the county government and consolidated political subdivisions.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article III, Texas Constitution, by adding Section 64A, as follows:

Sec. 64A. (a) Authorizes Bexar County, notwithstanding any other provisions of this constitution, to adopt a charter to restructure the county government as a consolidated city-county government under the provisions of this section.

(b) Sets forth requirements and authorizations regarding consolidation for a charter adopted under this section.

(c) Sets forth requirements regarding the transfer of powers, duties, responsibilities, rights, privileges, assets, obligations, and liabilities of the county and any consolidated municipality, special district or authority, or other political subdivision, to the consolidated city-county government.

(d) Sets forth provisions regarding the powers and duties of a consolidated city-county government.

(e) Provides that except for a constitutional or statutory provision expressly applying to a consolidated city-county government, the charter controls on an issue relating to the structure, powers, duties, or governance of the consolidated city-county government.

(f) Sets forth provisions applicable if any portion of a consolidated municipality, special district or authority, or other political subdivision is located outside Bexar County or has extraterritorial jurisdiction outside Bexar County.

(g) Sets forth authorizations regarding a charter adopted under this section.

(h) Requires the legislature, by special act or general law, to establish procedures for the appointment of a charter commission and for the adoption of a charter under this section. Sets forth additional authorizations for the legislature.

SECTION 2. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 1997. Sets forth required language for the ballot.