

## **BILL ANALYSIS**

Senate Research Center  
84R12849 JXC-F

H.B. 3666  
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Transportation  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Section 48-e of the Texas Constitution and Chapter 775 of the Health and Safety Code authorize the creation of emergency services districts (ESDs). ESDs provide emergency services such as fire prevention and control, first responder medical services, and ambulance support. They provide these services by collecting property and/or sales taxes.

In Travis County, many of the ESDs also contribute sales tax revenue to the local metropolitan transportation authority known as Capital Metro. One Travis County ESD reports that it is contributing sales tax revenue to Capital Metro but is not currently receiving any services. Furthermore, this ESD would like to spend this revenue on other items.

Current law does not provide a mechanism by which a Travis County ESD may withdraw from Capital Metro. H.B. 3666 creates such a mechanism. More specifically, H.B. 3666 allows a Travis County ESD to withdraw from Capital Metro if the ESD's governing body receives a petition, calls an election, and the withdrawal receives the support of a majority of the registered voters who vote in the election.

H.B. 3666 amends current law relating to the withdrawal of the territory of an emergency services district from the territory of a metropolitan rapid transit authority.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 451.601, Transportation Code, to redefine "unit of election" in this subchapter.

SECTION 2. Amends Subchapter M, Chapter 451, Transportation Code, by adding Section 451.618, as follows:

Sec. 451.618. WITHDRAWAL: ALTERNATIVE METHOD FOR EMERGENCY SERVICES DISTRICTS. (a) Authorizes an emergency services district operating under Chapter 775 (Emergency Service Districts), Health and Safety Code, to withdraw from a rapid transit authority (authority), in addition to any other manner provided by law, by a vote of a majority of the registered voters of the district voting at an election on the question of withdrawing from the authority.

(b) Requires the governing body of the emergency services district to call an election under this section if a petition requesting that an election to withdraw from the authority be held is submitted to the governing body and is signed by at least 10 percent of the registered voters of the district on the date the petition is submitted. Requires a signature on the petition, to be counted for purposes of validating the petition, to have been inscribed not earlier than the 120th day before the date the petition is submitted to the governing body.

(c) Requires the governing body, before the 31st day after the date the petition is submitted to the governing body, to determine whether a petition under this section is valid, and provides that if the governing body fails to act on the petition before the expiration of that period, the petition is valid.

(d) Provides that Sections 451.601 (Unit of Election Defined), 451.607 (Election), 451.608 (Result of Withdrawal Election), 451.609 (Effect of Withdrawal), 451.611 (Determination of Total Amount of Financial Obligations of Withdrawn Unit), 451.612(a) (requiring the governing board to certify to the governing body of a withdrawn unit of election and to the comptroller the net financial obligation of the unit to the authority as determined under this subchapter), and 451.613 (Collection of Sales and Use Tax After Withdrawal) apply to the withdrawal of an emergency services district under this section.

(e) Prohibits an election from being called under this section to be held on a date earlier than the first anniversary of the date of the most recent election held under this section.

SECTION 3. Effective date: September 1, 2015.