

BILL ANALYSIS

Senate Research Center
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S.B. 1613
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Property Tax
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas has required voter approval of tax and bond hikes for many years, but the success or failure of a proposition depends on a majority of the voters who turn out to vote in the election, which is often very minimal. Thus, you often have a small minority of voters dictating tax and bond increases that affect a much larger population. This is partly due to local governments, which have been known to employ tactics such as holding elections at random times to reduce voter turnout for local bond and tax elections in order to gain a favorable result at the polls.

In Texas, over 15.8 million people are registered to vote, but turnout is typically much lower.

Turnout during presidential cycles for general elections in Texas is around 59 percent, while non-presidential cycles tend to hover just above 30 percent.

This bill:

- requires at least 25 percent of registered voters in the jurisdiction of a local government raising bonds or taxes to vote in that election for it to be considered valid;
- exempts from this requirement any election held on the November uniform election date of even-numbered years; and
- does not make any change to the types of bonds that currently require voter approval under state law.

As proposed, S.B. 1613 amends current law relating to turnout requirements for certain elections authorizing the issuance of bonds or an increase in taxes by a political subdivision.

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 the heading to Chapter 2, Election Code, to read as follows:

CHAPTER 2. VOTE REQUIRED FOR ELECTION

SECTION 2. Amends Chapter 2, Election Code, by adding Subchapter E, as follows:

SUBCHAPTER E. TURNOUT REQUIREMENTS

Sec. 2.101. APPLICABILITY. Provides that this subchapter does not apply to an election held on the November uniform election date of an even-numbered year.

Sec. 2.102. POLITICAL SUBDIVISION BOND OR TAX ELECTION. Provides that an election held by a political subdivision to authorize the issuance of bonds or a tax increase has no effect regarding the issuance of the bonds or the tax increase unless more

than 25 percent of the registered voters of the political subdivision in which the election is held whose registrations are effective on the date of the election vote in the election in which the bond or tax proposition is on the ballot.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2019.