

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/24/19

Date

Honorable Dan Patrick  
President of the Senate

Honorable Dennis Bonnen  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 30 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

*Brian Birdwell*

BIRDWELL

*Phelan*

PHELAN

*Paul Bettencourt*

BETTENCOURT

*Leach*

LEACH

*Fallon*

FALLON

*Longoria*

LONGORIA

*Angela Paxton*

PAXTON

*Meyer*

MEYER

*Jose Rodriguez*

On the part of the Senate

RODRIGUEZ

*Stephenson*

On the part of the House

STEPHENSON

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

S.B. No. 30

A BILL TO BE ENTITLED

AN ACT

relating to ballot language requirements for a proposition seeking voter approval for the issuance of bonds.

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

SECTION 1. Section 45.003, Education Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) Notwithstanding Section 1251.052, Government Code, the question of whether to approve the issuance of bonds for the construction, acquisition, and equipment of school buildings in the district, the purchase of new school buses, and the purchase of necessary sites for school buildings may be submitted to the voters in a single ballot proposition, except that bonds for each of the following purposes must be stated in a separate proposition:

(1) the construction, acquisition, or equipment of a stadium with seating capacity for more than 1,000 spectators;

(2) the construction, acquisition, or equipment of a natatorium;

(3) the construction, acquisition, or equipment of another recreational facility other than a gymnasium, playground, or play area;

(4) the construction, acquisition, or equipment of a performing arts facility;

(5) the construction, acquisition, or equipment of housing for teachers as determined by the district to be necessary

1 to have a sufficient number of teachers for the district; and

2 (6) an acquisition or update of technology equipment,  
3 other than equipment used for school security purposes or  
4 technology infrastructure integral to the construction of a  
5 facility.

6 (h) The question of whether to approve the issuance of bonds  
7 for a building described by Subsection (g)(1), (2), (3), (4), or (5)  
8 must be printed on the ballot as a separate ballot proposition  
9 regardless of whether that building is proposed as part of the same  
10 complex or building that contains traditional classroom  
11 facilities. Each separate ballot proposition required by this  
12 subsection must state the principal amount of the bonds to be issued  
13 that constitutes the cost for construction of that portion of the  
14 building or complex attributable to the building described by  
15 Subsection (g)(1), (2), (3), (4), or (5) or to the traditional  
16 classroom facilities, as applicable.

17 SECTION 2. Section 52.072(e), Election Code, is amended to  
18 read as follows:

19 (e) In addition to any other requirement imposed by law for  
20 a proposition, including a provision prescribing the proposition  
21 language, a proposition submitted to the voters for approval of the  
22 ~~[issuance of bonds or the]~~ imposition, increase, or reduction of a  
23 tax shall specifically state, as applicable:

24 (1) ~~[with respect to a proposition seeking voter~~  
25 ~~approval of the issuance of bonds.~~

26 ~~[(A) the total principal amount of the bonds to~~  
27 ~~be authorized, if approved; and~~



1       Sec. 1251.052. FORM. (a) The ballot for a measure seeking  
2 voter approval of the issuance of debt obligations by a political  
3 subdivision shall specifically state:

4               (1) a plain language description of the single  
5 specific purposes for which the debt obligations are to be  
6 authorized;

7               (2) the total principal amount of the debt obligations  
8 to be authorized; and

9               (3) that taxes sufficient to pay the principal of and  
10 interest on the debt obligations will be imposed.

11       (a-1) Each single specific purpose for which debt  
12 obligations requiring voter approval are to be issued must be  
13 printed on the ballot as a separate proposition. A proposition may  
14 include as a specific purpose one or more structures or  
15 improvements serving the substantially same purpose and may include  
16 related improvements and equipment necessary to accomplish the  
17 specific purpose.

18       SECTION 5. Section 1251.002, Government Code, is repealed.

19       SECTION 6. The change in law made by this Act applies only  
20 to an election ordered on or after the effective date of this Act.  
21 An election ordered before the effective date of this Act is  
22 governed by the law in effect when the election was ordered, and the  
23 former law is continued in effect for that purpose.

24       SECTION 7. This Act takes effect September 1, 2019.

**Senate Bill 30**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

SECTION 1. Section 45.003, Education Code, is amended. Among other provisions, Subsection (g) is added to read as follows:

(g) Notwithstanding **Section 52.072, Election Code**, the question of whether to approve the issuance of bonds for the construction, acquisition, and equipment of school buildings in the district and the purchase of necessary sites for school buildings may be submitted to the voters in a single ballot proposition, except that bonds for each of the following purposes must be stated in a separate proposition:

- (1) the construction, **improvement**, or **renovation** of a stadium;
- (2) the construction, **improvement**, or **renovation** of a natatorium;
- (3) the construction, **improvement**, or **renovation** of another recreational facility other than a gymnasium;
- (4) the construction, **improvement**, or **renovation** of a performing arts facility;
- (5) the construction, **improvement**, or **renovation** of housing for teachers as determined by the district to be necessary to have a sufficient number of teachers for the district; and
- (6) an acquisition or update of technology equipment, other than equipment used for school security purposes.

HOUSE VERSION (IE)

SECTION 1. Same as Senate version except as follows:

(g) Notwithstanding **Section 1251.052, Government Code**, the question of whether to approve the issuance of bonds for the construction, acquisition, and equipment of school buildings in the district, **the purchase of new school buses**, and the purchase of necessary sites for school buildings may be submitted to the voters in a single ballot proposition, except that bonds for each of the following purposes must be stated in a separate proposition: [FA1(1)-(2)]

- (1) the construction, **acquisition**, or **equipment** of a stadium **with seating capacity for more than 1,000 spectators**; [FA1(3)-(4)]
- (2) the construction, **acquisition**, or **equipment** of a natatorium; [FA1(5)]
- (3) the construction, **acquisition**, or **equipment** of another recreational facility other than a gymnasium, **playground, or play area**; [FA1(6);FA1(18),FA2]
- (4) the construction, **acquisition**, or **equipment** of a performing arts facility **with a seating capacity of greater than 500**; [FA1(7);FA1(19),FA2]
- (5) the construction, **acquisition**, or **equipment** of housing for teachers as determined by the district to be necessary to have a sufficient number of teachers for the district; and [FA1(8)]
- (6) an acquisition or update of technology equipment, other than equipment used for school security purposes **or technology infrastructure integral to the construction of a facility**. [FA1(9)]

CONFERENCE

SECTION 1. Same as House version except as follows:

- (4) the construction, **acquisition**, or **equipment** of a performing arts facility.

**Senate Bill 30**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

SECTION 2. Section 52.072, Election Code, is amended by amending Subsection (e) and adding Subsection (f) to read as follows:

(e) In addition to any other requirement imposed by law for a proposition, including a provision prescribing the proposition language, a proposition submitted to the voters for approval of the *issuance of bonds or the* imposition, increase, or reduction of a tax shall specifically state, as applicable:

*(1) with respect to a proposition seeking voter approval of the issuance of bonds:*

*(A) the total principal amount of the bonds to be authorized, if approved; and*

*(B) a plain language [general] description of the single specific purpose [the purposes] for which the bonds are to be authorized, if approved;*

(2) with respect to a proposition that only seeks voter approval of the imposition or increase of a tax, the amount of or maximum tax rate of the tax or tax increase for which approval is sought; or

(3) with respect to a proposition that only seeks voter approval of the reduction of a tax, the amount of tax rate reduction or the tax rate for which approval is sought.

(f) Each single specific purpose for which bonds requiring voter approval are to be issued must be printed on the ballot as a separate proposition.

*No equivalent provision.*

HOUSE VERSION (IE)

SECTION 2. Section 52.072(e), Election Code, is amended to read as follows: [FA1(10)]

(e) In addition to any other requirement imposed by law for a proposition, including a provision prescribing the proposition language, a proposition submitted to the voters for approval of the ~~[issuance of bonds or the]~~imposition, increase, or reduction of a tax shall specifically state, as applicable: [FA1(11)]

~~(1) [with respect to a proposition seeking voter approval of the issuance of bonds:~~

~~[(A) the total principal amount of the bonds to be authorized, if approved; and~~

~~[(B) a general description of the purposes for which the bonds are to be authorized, if approved;~~

[(2)] with respect to a proposition that only seeks voter approval of the imposition or increase of a tax, the amount of or maximum tax rate of the tax or tax increase for which approval is sought; or

(2) [(3)] with respect to a proposition that only seeks voter approval of the reduction of a tax, the amount of tax rate reduction or the tax rate for which approval is sought.

*(See Sec. 1251.052(a-1) in SECTION 4 below.)*

SECTION 3. Chapter 1251, Government Code, is amended by designating Sections 1251.001, 1251.003, 1251.004, 1251.005, and 1251.006 as Subchapter A and adding a subchapter heading to read as follows:

CONFERENCE

SECTION 2. Same as House version.

SECTION 3. Same as House version.

**Senate Bill 30**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

SUBCHAPTER A. PROVISIONS RELATING  
GENERALLY TO COUNTY AND MUNICIPAL BOND  
ELECTIONS

SECTION 4. Chapter 1251, Government Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. BALLOT FOR DEBT OBLIGATIONS  
ISSUED BY POLITICAL SUBDIVISION

Sec. 1251.051. DEFINITIONS. In this subchapter:

(1) "Debt obligation" means a public security, as defined by Section 1201.002, secured by and payable from ad valorem taxes. The term does not include public securities that are designated as self-supporting by the political subdivision issuing the securities.

(2) "Political subdivision" means a municipality, county, school district, or special taxing district.

Sec. 1251.052. FORM. (a) The ballot for a measure seeking voter approval of the issuance of debt obligations by a political subdivision shall specifically state:

(1) a plain language description of the single specific purposes for which the debt obligations are to be authorized;

(2) the total principal amount of the debt obligations to be authorized; and

(3) that taxes sufficient to pay the principal of and interest on the debt obligations will be imposed. [FA1(12)]

(a-1) Each single specific purpose for which *debt obligations* requiring voter approval are to be issued must be printed on the ballot as a separate proposition. *A proposition may include as a specific purpose one or more structures or improvements serving the substantially same purpose and*

SECTION 4. Same as House version.

*No equivalent provision.*

*(See Sec. 52.072(f) in SECTION 2 above)*

**Senate Bill 30**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

*may include related improvements and equipment necessary to accomplish the specific purpose.* [FA1(13)-(15)]

*No equivalent provision.*

SECTION \_\_. Section 1251.002, Government Code, is repealed. [FA1(16)]

SECTION 5. Same as House version.

SECTION 3. Saving provision.

SECTION 3. Same as Senate version.

SECTION 6. Same as Senate version.

SECTION 4. This Act takes effect September 1, 2019.

SECTION 4. Same as Senate version.

SECTION 7. Same as Senate version.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 25, 2019**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: SB30** by Birdwell (Relating to ballot language requirements for a proposition seeking voter approval for the issuance of bonds.), **Conference Committee Report**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

Based on analysis by the Secretary of State, it is assumed that the provisions of the bill relating to bond election ballot language requirements could be absorbed using existing resources.

According to the Bond Review Board, the bill provides for no additional debt authorization but its impact on state debt cannot be determined at this point.

According to the Texas Education Agency, the bill is not anticipated to have a fiscal implication to the State.

**Local Government Impact**

According to the Texas Association of Counties, some counties would likely need to purchase additional electronic voting equipment and hire and train additional staff. It is assumed the bill would have a fiscal impact on counties, but the exact impact cannot be determined at this time. According to the Texas Municipal League, the bill would have no significant fiscal impact to cities. It is assumed that any costs associated with the provisions of the bill relating to bond elections for school districts could be absorbed within existing resources.

**Source Agencies:** 307 Secretary of State

**LBB Staff:** WP, JMO, CMa, NV, AF