

BILL ANALYSIS

Senate Research Center

S.B. 1434
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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 government. S.B. 1434 would establish the procedures for appointment of a charter commission and for adoption of a charter under the provisions of S.J.R. 40.

PURPOSE

As proposed, S.B. 1434 outlines provisions regarding the creation of a consolidated municipal-county government in Bexar County.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioners court under SECTION 1 (Section 63.006(c), Local Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 2E, Local Government Code, by adding Chapter 63, as follows:

CHAPTER 63. MUNICIPAL-COUNTY CONSOLIDATION

Sec. 63.001. APPOINTMENT OF CHARTER COMMISSION. Sets forth requirements and outlines provisions regarding the appointment of a charter commission (commission) by the commissioners court of Bexar County.

Sec. 63.002. PETITION. Sets forth requirements for a petition for the commissioners court to appoint a commission.

Sec. 63.003. VERIFICATION OF PETITION. Sets forth requirements regarding the validity of the petition.

Sec. 63.004. NOTIFICATION OF OTHER POLITICAL SUBDIVISIONS. Requires the commissioners court to give notice to the governing body of each municipality having any portion of its area in Bexar County of the court's intention to appoint a commission not later than the 30th day after the date the commissioners court receives a determination under Section 63.003(b) or after the commissioners court decides to appoint a commission without a petition under Section 63.001(a)(1). Requires the commissioners court to give notice to the governing body of each municipality in Bexar County of the court's intention to appoint a commission. Requires the notice to the governing body of San Antonio to specify the number of commission members who are to be appointed to represent San Antonio on the commission under Section 63.005.

Sec. 63.005. COMMISSION COMPOSITION. Sets forth requirements regarding the composition of the commission.

Sec. 63.006. PREPARATION OF CHARTER. Sets forth requirements regarding the preparation of the charter for the commission.

Sec. 63.007. ADOPTION OF CHARTER. Sets forth requirements and outlines provisions regarding the adopting of a charter for the commission and the consolidation of the municipality into the consolidated municipal-county government.

Sec. 63.008. GOVERNING BODY OF CONSOLIDATED GOVERNMENT. Sets forth the composition of a governing body for which a charter adopted under this section is required to provide.

Sec. 63.009. SERVICE DISTRICTS. Sets forth certain requirements regarding the establishment of service districts by the charter.

Sec. 63.010. AD VALOREM TAXES. Requires the charter to provide that an ad valorem tax levied for debt service of the general obligation debt that was authorized or issued by any consolidated municipality, any special district or authority, or any other political subdivision that is a part of the consolidated municipal-county government to continue to be levied in certain areas.

Sec. 63.011. CONSOLIDATION OF EMPLOYEES. Sets forth requirements and outlines provisions regarding the consolidation of certain employees of the county or a municipality, special district or authority, or other political subdivision.

Sec. 63.012. RETIREMENT BENEFITS. Requires the charter to provide for the continuation of a pension fund or the retirement system contributions by both the consolidated municipal-county government and the employees of the consolidated municipal-county government that would have been made by the former county government or the municipalities, special district or authorities, or other political subdivisions before the adoption of the charter. Requires employees of the consolidated municipal-county government hired after the adoption of the charter to be placed in an appropriate pension fund or retirement system.

Sec. 63.013. COLLECTIVE BARGAINING. Prohibits the charter from diminishing the right of employees of the consolidated municipal-county government to organize, to meet and confer, and to bargain collectively with the officials of the consolidated municipal-county government over wages, hours of work, and other terms of employment as provided by state law.

Sec. 63.014. ANNEXATION. Requires the charter, within Bexar County, to establish procedures for the progressive territorial expansion of the urban service district (district) to reflect the growth of the urbanized area. Authorizes the district to take any action that a municipality having the same size and population of the district may take to annex the territory, extend the district's extraterritorial jurisdiction, or to alter the boundaries of the district under this code in areas outside of Bexar County. Prohibits the extraterritorial jurisdiction located in Bexar County of a municipality that is not consolidated under this code from being expanded.

SECTION 2. Effective date: pending voter approval.

SECTION 3. Emergency clause.