

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1480
By: Cain
Intergovernmental Relations
4/8/1999
Committee Report (Substituted)

DIGEST

Currently, the Dallas/Fort Worth International Airport Board has entered into two interlocal agreements with the cities of Euless and Irving for the sharing of incremental tax revenues and fees in exchange for the airport board and the cities of Dallas and Fort Worth encouraging and giving consideration to development of the airport's property within the municipal boundaries of the cities of Euless and Irving. This bill would ensure that current and future tax sharing agreements between a joint airport board and constituent agencies are fully implemented.

PURPOSE

As proposed, C.S.S.B. 1480 ensures that current and future tax sharing agreements between a joint airport board and constituent agencies are fully implemented.

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 Chapter 22D, Transportation Code, by adding Section 22.0781, as follows:

Sec. 22.0781. REVENUE SHARING AGREEMENT WITH MUNICIPALITY. Authorizes a municipality, a joint airport board for which the constituent agencies are populous home-rule municipalities, and the constituent agencies to make an agreement under which a portion of the revenue derived from a tax or fee of the municipality imposed in the territory of the municipality for which the joint board has exclusive power under Section 22.074(d) may be transferred to the constituent agencies if under the agreement the joint board agrees to encourage economic development opportunities in the territory of the municipality that are feasible and consistent with the development policies of the joint board. Provides that a tax or fee that may be transferred under an agreement includes a sales and use tax, an ad valorem property tax, a mixed beverage tax, a fine, a franchise tax, a cost of court, and a hotel occupancy tax. Authorizes the agreement to provide for the inclusion of revenue from a tax imposed under Chapter 334, Local Government Code, in the transfer only if the election approving that tax is held after the date the agreement is made under this section. Requires the municipality to provide general notice, if any revenue from a tax imposed under Chapter 334, Local Government Code, in the order calling the election and in the ballot proposition. Provides that the specifics of the transfer agreement are not required to be placed in the order or in the ballot proposition and only the municipality that will transfer its revenue is required to hold an election for the agreement to be effective. Sets forth the ballot language for a proposition in an election held under this section. Authorizes a constituent agency to use revenue received under an agreement under this section for certain projects. Authorizes a municipality to use revenue retained under an agreement for any governmental purpose, notwithstanding any other law. Provides that notwithstanding any other provision of Chapter 334, Local Government Code, a tax imposed under Chapter 334 that is subject to an agreement under this section continues in effect until the governing body of the municipality that imposed the tax acts at its discretion to repeal the tax. Provides that to the extent of any conflict between this section and another provision of law, this section controls.

SECTION 2. Provides that agreements made before the effective date of the Act are validated as of the date the agreement was made.

SECTION 3. Emergency clause.

Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 22.0781, Chapter 22D, Transportation Code, by adding Subsections (e) and (f), to authorize a municipality to use revenue retained under an agreement for any governmental purpose, notwithstanding any other law. Provides that notwithstanding any other provision of Chapter 334, Local Government Code, a tax imposed under Chapter 334 that is subject to an agreement under this section continues in effect until the governing body of the municipality that imposed the tax acts at its discretion to repeal the tax. Redesignates proposed Subsection (e) as Subsection (g).