

BILL ANALYSIS

Senate Research Center
81R11027 SJM-D

S.J.R. 43
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Finance
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, an emergency services district (EDS) provides numerous services beyond basic fire protection. ESDs are the first responders to fires, traffic accidents, and medical emergencies, but also provide special expertise and support, including wildland firefighting, water rescues, disaster and homeland security services, building inspection and approval, and fire safety education.

Rapid population growth and new business activity is straining the current system and could result in greater loss of life and fire damage. Increased numbers of people and buildings in suburban and emerging suburban areas place even greater demands on resources, particularly for ESDs with wildland acreage that is prone to brush fires and similar events requiring fire protection services. Costs to provide even basic fire protection and emergency response services have escalated beyond what current funding can support. In short, with current funding we will find it difficult to provide even basic fire protection services for rapidly growing ESDs.

Current law allows the board of an emergency services district to annually impose an ad valorem tax on real and personal property located in the ESD to support the ESD and other purposes authorized by the chapter.

S.J.R. 43 proposes a constitutional amendment to allow an ESD, after a successful local option election, to impose an ad valorem tax of \$0.05 per \$100.00, in addition to the ad valorem tax already authorized, specifically for the acquisition of land, equipment, and apparatus and the construction of capital improvements. The enabling legislation for S.J.R. 43 is S.B. 2212.

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 48-e, Article III, Texas Constitution, as follows:

Sec. 48-e. EMERGENCY SERVICES DISTRICTS. Authorizes laws to be enacted to provide for the establishment and creation of special districts to provide emergency services and to authorize the commissioners courts of participating counties to impose, rather than levy, a tax on the ad valorem property situated in said districts not to exceed 10 cents on the \$100, rather than Ten Cents (10¢) on the One Hundred Dollars (\$100.00), valuation for the operating and capital support thereof and five cents on the \$100 valuation for the acquisition of land, equipment, or apparatus or the construction of capital improvements; provided that no tax is required to be imposed, rather than levied, in support of said districts until approved by a vote of the qualified voters residing therein. Authorizes such a district to provide emergency medical services, emergency ambulance services, rural fire prevention and control services, or other emergency services authorized by the Legislature.

SECTION 2. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held November 3, 2009. Sets forth the required language of the ballot.