

SENATE JOINT RESOLUTION

1  
2 proposing a constitutional amendment authorizing the legislature  
3 to allow cities or counties to enter into interlocal contracts with  
4 other cities or counties without the imposition of a tax or the  
5 provision of a sinking fund.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 5, Article XI, Texas Constitution, is  
8 amended to read as follows:

9 Sec. 5. (a) Cities having more than five thousand (5000)  
10 inhabitants may, by a majority vote of the qualified voters of said  
11 city, at an election held for that purpose, adopt or amend their  
12 charters. If the number of inhabitants of cities that have adopted  
13 or amended their charters under this section is reduced to five  
14 thousand (5000) or fewer, the cities still may amend their charters  
15 by a majority vote of the qualified voters of said city at an  
16 election held for that purpose. The adoption or amendment of  
17 charters is subject to such limitations as may be prescribed by the  
18 Legislature, and no charter or any ordinance passed under said  
19 charter shall contain any provision inconsistent with the  
20 Constitution of the State, or of the general laws enacted by the  
21 Legislature of this State. Said cities may levy, assess and collect  
22 such taxes as may be authorized by law or by their charters; but no  
23 tax for any purpose shall ever be lawful for any one year, which  
24 shall exceed two and one-half per cent. of the taxable property of

1 such city, and no debt shall ever be created by any city, unless at  
2 the same time provision be made to assess and collect annually a  
3 sufficient sum to pay the interest thereon and creating a sinking  
4 fund of at least two per cent. thereon, except as provided by  
5 Subsection (b). Furthermore, no city charter shall be altered,  
6 amended or repealed oftener than every two years.

7 (b) To increase efficiency and effectiveness to the  
8 greatest extent possible, the legislature may by general law  
9 authorize cities to enter into interlocal contracts with other  
10 cities or counties without meeting the assessment and sinking fund  
11 requirements under Subsection (a).

12 SECTION 2. Section 7, Article XI, Texas Constitution, is  
13 amended to read as follows:

14 Sec. 7. (a) All counties and cities bordering on the coast  
15 of the Gulf of Mexico are hereby authorized upon a vote of the  
16 majority of the qualified voters voting thereon at an election  
17 called for such purpose to levy and collect such tax for  
18 construction of sea walls, breakwaters, or sanitary purposes, as  
19 may now or may hereafter be authorized by law, and may create a debt  
20 for such works and issue bonds in evidence thereof. But no debt for  
21 any purpose shall ever be incurred in any manner by any city or  
22 county unless provision is made, at the time of creating the same,  
23 for levying and collecting a sufficient tax to pay the interest  
24 thereon and provide at least two per cent (2%) as a sinking fund,  
25 except as provided by Subsection (b); and the condemnation of the  
26 right of way for the erection of such works shall be fully provided  
27 for.

1        (b) To increase efficiency and effectiveness to the  
2 greatest extent possible, the legislature may by general law  
3 authorize cities or counties to enter into interlocal contracts  
4 with other cities or counties without meeting the tax and sinking  
5 fund requirements under Subsection (a).

6        SECTION 3. This proposed constitutional amendment shall be  
7 submitted to the voters at an election to be held November 8, 2011.  
8 The ballot shall be printed to permit voting for or against the  
9 proposition: "The constitutional amendment authorizing the  
10 legislature to allow cities or counties to enter into interlocal  
11 contracts with other cities or counties without the imposition of a  
12 tax or the provision of a sinking fund."

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President of the Senate

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Speaker of the House

I hereby certify that S.J.R. No. 26 was adopted by the Senate on March 31, 2011, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

I hereby certify that S.J.R. No. 26 was adopted by the House on May 24, 2011, by the following vote: Yeas 144, Nays 0, one present not voting.

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Chief Clerk of the House