

By: Menéndez

S.B. No. 1837

A BILL TO BE ENTITLED

1 AN ACT

2 relating to requiring certain metropolitan rapid transit
3 authorities to hold a referendum before spending any money for a
4 fixed rail transit system.

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

6 SECTION 1. Subchapter B, Chapter 451, Transportation Code,
7 is amended by adding Section 451.073 to read as follows:

8 Sec. 451.073. REFERENDUM FOR RAIL PLAN; CERTAIN
9 AUTHORITIES. (a) This section applies only to an authority created
10 before 1980 in which the principal municipality has a population of
11 less than 1.9 million.

12 (b) Before the authority may spend any funds to purchase,
13 acquire, construct, operate, or maintain any form of a fixed rail
14 transit system, the authority must hold a referendum on whether the
15 authority may operate a fixed rail transit system. At the election
16 the ballots shall be printed to permit voting for or against the
17 following proposition: "The operation of a fixed rail system by
18 (name of authority)."

19 (c) The notice of an election called under this section must
20 include a general description of the form of the fixed rail transit
21 system, including the general location of any proposed routes.

22 (d) If a majority of the votes cast are in favor of the
23 proposition, the authority may build and operate the system as
24 provided in the notice for the election. If less than a majority of

1 the votes cast are in favor of the proposition, the authority may
2 not expend funds of the authority to purchase, acquire, construct,
3 operate, or maintain any form of a fixed rail transit system unless
4 the system is approved by a majority of the votes cast at a
5 referendum held by the authority for that purpose.

6 (e) A subsequent referendum under Subsection (d):

7 (1) may be held more than once;
8 (2) is held in the same manner as the initial
9 referendum; and

10 (3) may not be held before the first anniversary of an
11 election previously held under this section.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2015.