

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2441**

Thorpe Floor Amendment

HB 2441 alters the process for changing specific special taxing district boundaries by adding additional notice provisions and limiting expansion into city or town planning areas. Most provisions of HB 2441 are specific to fire districts (District).

Your 1-page floor amendment to HB 2441 dated 2/23/15 at 1:29 p.m. makes the following changes:

1. Provides that if an annexed area is within a city or town planning area and the District does not provide the same level of service:
 - a. The District must pay to the responding entity a percentage of the tax revenue collected in the District. Calculates this amount by dividing the number of calls that the District did not respond to by the total number of calls in the annexed area.
 - b. Places the burden of proof on the city or town seeking payment. The city or town must prove by preponderance that the District failed to provide the same level of service.
2. Removes the restriction on annexation in areas that are located within the boundary of a city or town planning area.
3. Removes provisions related to District contracts for fire or emergency medical services that are provided to individuals whose property is located outside the boundary of a District.
4. Removes the requirement for a boundary impact statement to specify that service will be accomplished using only District resources and not the resources of an adjacent city or town.
5. Makes conforming changes.

Amendment explanation prepared by Katy Proctor

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lcs

2/24/2015

THORPE FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2441

(Reference to printed bill)

1 Page 2, line 6, after the first "DISTRICT" strike remainder of line; strike line 7,
2 insert a period

3 Page 8, line 39, strike "~~in~~ WITHIN THE PLANNING AREA OF" insert "in"

4 Line 44, after the period strike remainder of line; strike line 45

5 Page 9, strike lines 1 and 2; line 3, strike "RESOURCES ONLY AND NOT THE RESOURCES
6 OF ANY ADJACENT CITY OR TOWN."

7 Between lines 10 and 11, insert:

8 "N. IF THE AREA ANNEXED IS WITHIN THE BOUNDARIES OF A PLANNING AREA OF
9 A CITY OR TOWN AND THE FIRE DISTRICT IS NOT ABLE TO PROVIDE THE SAME LEVEL OF
10 SERVICE TO THE ANNEXED AREA WHEN COMPARED TO ALL OTHER PROPERTY WITHIN THE
11 EXISTING FIRE DISTRICT, BOTH OF THE FOLLOWING APPLY:

12 1. COMMENCING ON THE FIRST DAY OF THE CALENDAR YEAR IN WHICH THE
13 ANNEXING FIRE DISTRICT SHALL RECEIVE AD VALOREM TAX REVENUES FROM THE AREA
14 ANNEXED, THE FIRE DISTRICT SHALL PAY TO THE RESPONDING ENTITY A PERCENTAGE OF
15 THE AD VALOREM TAX REVENUE COLLECTED IN THE ANNEXED AREA. THE AMOUNT IS
16 DETERMINED BY CALCULATING THE NUMBER OF CALLS THAT THE FIRE DISTRICT DID NOT
17 RESPOND TO IN THE ANNEXED AREA DIVIDED BY THE TOTAL NUMBER OF CALLS IN THE
18 ANNEXED AREA.

19 2. THE CITY OR TOWN SEEKING PAYMENT HAS THE BURDEN OF PROOF BY A
20 PREPONDERANCE OF THE EVIDENCE THAT THE FIRE DISTRICT HAS FAILED TO PROVIDE
21 THE SAME LEVEL OF SERVICE TO THE ANNEXED AREA."

22 Reletter to conform

23 Page 12, line 1, after "11-251.12" strike remainder of line; strike lines 2 through
24 6, line 7, strike "ANY ADJACENT CITY OR TOWN"

25 Amend title to conform

BOB THORPE