

ORDER FOR ELECTION TO BE HELD MAY 4, 2024 ON THE PROPOSITION OF INCREASING THE RATE OF SALES AND USE TAX IN WALLER-HARRIS EMERGENCY SERVICES DISTRICT NO. 200 AS PROVIDED UNDER TEXAS HEALTH AND SAFETY CODE §§775.0751 and 775.0752.

WHEREAS, WALLER-HARRIS EMERGENCY SERVICES DISTRICT NO. 200 (the "District") operates pursuant to Texas Constitution, Article III, Section 48-e, and Chapter 775, Texas Health & Safety Code;

WHEREAS, §775.0751, Texas Health & Safety Code, provides that the District may adopt a sales and use tax at an election held as provided by §775.0752; and

WHEREAS, the District may impose the tax at a rate from one-eighth of one percent to two percent in increments of one-eighth of one percent; and

WHEREAS, the District may not adopt a tax if as a result of the adoption of the tax the combined rate of all sales and use taxes imposed by the District and other political subdivisions of this state having territory in the District would exceed two percent (2%) at any location in the District; and

WHEREAS, the District specifically excludes from the application that portion of the increase in its sales and use tax rate in any areas where the combined rate and application of the District's entire two percent (2%) would exceed a total local sales and use tax of two percent (2%), and therefore only applies the portion of the increase in its sales and use tax to thereby result in a total local sales and use tax of two percent (2%);

WHEREAS, the District Board of ESD Commissioners finds that it would be in the best interests of the District and the residents and commercial interests situated in the District to afford the eligible voters within the District the opportunity to determine whether the District should increase its sales tax to a rate not to exceed two percent (2%) in any area of the District, thereby **excluding any areas where there currently exists a two percent (2%) local sales and use tax from the application of the increased sales and use tax rate;**

WHEREAS, Texas Health & Safety Code, §775.0752 and Texas Tax Code, §323.403, requires that such Election be held on the next uniform election day not less than 30 days after the day on which the order calling the election was passed,

WHEREAS, the next uniform date for an election called under such circumstances is May 4, 2024,

NOW, THEREFORE, IT IS HEREBY ORDERED that an Election be held in Waller-Harris Emergency Services District No. 200 on Saturday, May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m., on the following proposition:

“The adoption of an increased local sales and use tax in Waller-Harris Emergency Services District No. 200 at a rate not to exceed two percent (2%) in any location in the district.”

IT IS FURTHER ORDERED that:

1. The ballot for the Election shall provide for voting "for" or "against" the above stated proposition. A majority of the votes cast either "for" or "against" the proposition shall determine whether the proposition is adopted. A vote "for" shall mean a vote in favor of the proposition and a vote "against" shall mean a vote against the proposition.

2. The Election may be held jointly with other Waller County entities under the Joint Election Agreement promulgated by the Waller County Elections Office.

3. The Election will be conducted by the Waller County Elections Office under the terms of the Election Services Agreement promulgated by the Waller County Elections Office. To the fullest extent allowed by law, the District delegates to the Waller County Elections Administrator all election duties described in the Agreement.

4. The Election shall be held within the Election Precincts and at the Polling Places designated by the Elections Administrator (also called “Contracting Officer”) pursuant to the Waller County Election Order for the Waller County elections scheduled for May 4, 2024, subject to any such changes as may be made under the authority of such Order. The designation is adopted and approved by the Board of ESD Commissioners.

5. Only persons qualified to vote within the geographic boundaries of **WALLER-HARRIS EMERGENCY SERVICES DISTRICT NO. 200** shall be allowed to vote in the **WALLER-HARRIS EMERGENCY SERVICES DISTRICT NO. 200** Election.

6. The Notice of the Election shall be prepared in accordance with law and shall be given by publication of the Notice of Election. Such publication shall be made at least one time in a daily newspaper of general circulation within the geographic boundaries of the District, said publication to be made not earlier than the 30th day nor later than the 10th day before the Election Date. Further, a copy of such Notice shall, not later than the 21st day before the Election Date, be posted on the bulletin board or other place conspicuous to the public used for posting Notices of the meetings of the District Board of Emergency Services Commissioners and a copy shall be filed with the County Clerk of Waller County, Texas. After publication, the District Board of Emergency Services Commissioners shall retain a copy of the published Notice that contains the name of the newspaper in which it was published and the date of publication.

7. The voting in the District’s Election Precincts shall utilize an Electronic Voting System certified by the Waller County Elections Office. Waller County’s certified

electronic voting equipment is to be used in the May 4, 2024, Joint Election, as described in the Joint Election Agreement and/or Election Services Agreement.

8. **Christy A. Eason**, Waller County Elections Administrator is hereby designated as the Early Voting Clerk for this Election. Early voting shall be conducted from April 22, 2024 (the date which represents the earliest date on which early voting may begin) through April 30, 2024 (the date which represents the last day on which early voting may be performed). As ordered by the District Board of Emergency Services Commissioners, early voting will be conducted on the dates and hours and at the locations designated by the Elections Administrator pursuant to the Waller County Election Order and as more specifically identified at <https://www.co.waller.tx.us/page/Elections.current>

9. Ballot applications and ballots voted shall be sent to the Early Voting Clerk Christy A. Eason at **Waller County Elections, 816 Wilkins Street Hempstead, Texas 77445** or as otherwise designated by the Waller County Elections Administrator. The ballot applications must be received by no later than Tuesday, April 23, 2024 by 5:00 pm. If any Application for Ballot By Mail is submitted by email or fax or if a Federal Post Card Application is submitted by fax, to be effective, the application must also be submitted by mail and be received not later than the fourth (4th) business day after it is received by email or fax. All requests for early voting ballots to be voted by mail that are received by the District shall be forwarded in person or by email or fax to the Contracting Officer on the day of receipt. Original applications that are received by mail and forwarded by email or fax must also be mailed to the Contracting Officer for all processing.

10. The following concurrent and subsequent Orders, among other Orders, may be made by the District to facilitate the Election: Order Approving and Appointing an Agent; Order Establishing and Designating Election Precincts and Polling Places; Order Appointing Presiding Election Judges; Order Appointing Early Voting Ballot Board; Order Appointing Early Voting Clerks.

11. In accordance with all applicable Federal and State law, there shall be provided Spanish translation of the ballot as well as other applicable election materials.

12. This Order constitutes the Election Order of **WALLER-HARRIS EMERGENCY SERVICES DISTRICT NO. 200** Election to conduct an election on the proposition “The adoption of an increased local sales and use tax in Waller-Harris Emergency Services District No. 200 at a rate not to exceed two percent (2%) in any location in the district.” The Notice of the Election shall be prepared in accordance with law and shall be given by publication of the Notice of Election along with the Order designating the Voting Precincts and Polling Places for the Election. Such publication shall be made one time in a daily newspaper of general circulation within the geographic boundaries of the District, said publication to be made not earlier than the 30th day nor later than the 10th day before the Election Date. Further, a copy of such Notice shall, not later than the 21st day before the Election Date, be posted on the bulletin board or other place conspicuous to the public used for posting Notices of the meetings of the District Board of Emergency Services Commissioners and a copy shall be filed with the County Clerk of

Waller County, Texas. After publication, the District Board of Emergency Services Commissioners shall retain a copy of the published Notice that contains the name of the newspaper in which it was published and the date of publication.

ADOPTED at Open Meeting this the 16th day of January 2024, by a vote of 5 to 0.

**WALLER-HARRIS EMERGENCY
SERVICES DISTRICT NO. 200**

By: /s/ Brenda Bundick
Brenda Bundick
President

ATTEST:

By: /s/ Melinda Hashaw
Melinda Hashaw
Secretary