

ORDER FOR ELECTION TO BE HELD NOVEMBER 7, 2023 ON THE PROPOSITION OF APPROVAL OF THE 2023 AD VALOREM TAX RATE OF HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46 AS PROVIDED UNDER TAX CODE, §26.07.

WHEREAS, HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46 (the "District") operates pursuant to Texas Constitution, Article III, Section 48-e, and Chapter 775, Health & Safety Code;

WHEREAS, §26.07, Tax Code, requires that if the governing body of a taxing unit other than a special taxing unit adopts a tax rate that exceeds the greater of the taxing unit's voter-approval tax rate and de minimis rate, then the registered voters of the taxing unit must determine whether to approve the adopted tax rate at an election held for that purpose.

WHEREAS, §26.07(c), Tax Code, requires that such Election be held in conformity with §41.001, of the Texas Election Code, providing for Uniform Election Dates.

NOW, THEREFORE, IT IS HEREBY ORDERED that an Election be held in **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46** on Tuesday, November 7, 2023, between the hours of 7:00 a.m. and 7:00 p.m., on the following proposition:

“Approving the ad valorem tax rate of \$0.10 per \$100 valuation in Harris County Emergency Services District No. 46 for the current year, a rate that is \$0.007596 higher per \$100 valuation than the voter-approval tax rate of Harris County Emergency Services District No. 46, for the purpose of maintaining fire protection and rescue services. Last year, the ad valorem tax rate in Harris County Emergency Services District No. 46 was \$0.10 per \$100 valuation.”

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 Harris County entities under the Joint Election Agreement promulgated by the Harris County Elections Office.

3. The Election will be conducted by the Harris County Elections Office under the terms of the Election Services Agreement promulgated by the Harris County Elections

Office. To the fullest extent allowed by law, the District delegates to the Harris 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 Harris County Election Order for the Harris County elections scheduled for November 7, 2023, 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 **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46** shall be allowed to vote in the **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46** 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 Harris 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 Harris County Elections Office. Harris County’s certified electronic voting equipment is to be used in the November 7, 2023, Joint Election, as described in the Joint Election Agreement and/or Election Services Agreement.

8. **Clifford Tatum**, Harris County Elections Administrator is hereby designated as the Early Voting Clerk for this Election. Early voting shall be conducted from October 23, 2023 (the date which represents the earliest date on which early voting may begin) through November 3, 2023 (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 Harris County Election Order and as more specifically identified at www.harrisvotes.com.

9. Ballot applications and ballots voted shall be sent to the Early Voting Clerk Clifford Tatum at **Harris County Elections Administrator’s Office, 1001 Preston, 4th Floor Houston, Texas 77002** or as otherwise designated by the Harris County Elections Administrator. The ballot applications must be received by no later than Friday, October 27, 2023 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 **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46** to approve the 2023 ad valorem tax rate. 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 Harris 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 17th day of July, 2023 by a vote of 5 to 0.

**HARRIS COUNTY EMERGENCY
SERVICES DISTRICT NO. 46**

By: /s/ Tom Truver
Tom Truver
President

ATTEST:

By: /s/ John Bollom
John Bollom
Secretary