

By: Cole

H.B. No. 3356

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the powers and duties and authority to issue bonds of
3 the SH130 Municipal Management District No. 1.

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

5 SECTION 1. Section 3971.0101, Special District Local Laws
6 Code, is amended to read as follows:

7 Sec. 3971.0101. DEFINITIONS. In this chapter:

8 (1) "Board" means the district's board of directors.

9 (2) "City" means the City of Austin.

10 (3) "County" means Travis County.

11 (4) "Director" means a board member.

12 (5) [~~4~~] "District" means the SH130 Municipal
13 Management District No. 1.

14 SECTION 2. Sections 3971.0103(b) and (d), Special District
15 Local Laws Code, are amended to read as follows:

16 (b) By creating the district and in authorizing the city,
17 the county, and other political subdivisions to contract with the
18 district, the legislature has established a program to accomplish
19 the public purposes set out in Section 52-a, Article III, Texas
20 Constitution.

21 (d) This chapter and the creation of the district may not be
22 interpreted to relieve the city or the county from providing the
23 level of services provided as of the effective date of the Act
24 enacting this chapter to the area in the district. The district is

1 created to supplement and not to supplant city or county services
2 provided in the district.

3 SECTION 3. Section 3971.0304, Special District Local Laws
4 Code, is amended to read as follows:

5 Sec. 3971.0304. LAW ENFORCEMENT SERVICES. To protect the
6 public interest, the district may contract with a qualified party,
7 including the city or the county, to provide law enforcement
8 services in the district for a fee.

9 SECTION 4. Subchapter D, Chapter 3971, Special District
10 Local Laws Code, is amended by adding Section 3971.0403 to read as
11 follows:

12 Sec. 3971.0403. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
13 Section 375.161, Local Government Code, does not apply to the
14 district.

15 SECTION 5. Section 3971.0506, Special District Local Laws
16 Code, is amended to read as follows:

17 Sec. 3971.0506. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT
18 UNDER AGREEMENT. If the improvements financed by an obligation
19 will be conveyed, ~~[to or]~~ operated and maintained, or otherwise
20 financed ~~[by a municipality or retail utility provider]~~ pursuant to
21 an agreement between the district and the county, a municipality,
22 or a retail utility provider entered into before the issuance of the
23 obligation, the obligation may be in the form of bonds, notes, or
24 other obligations payable wholly or partly from assessments, issued
25 by public or private sale, in the manner provided by Subchapter A,
26 Chapter 372, Local Government Code.

27 SECTION 6. Section 3971.0507, Special District Local Laws

1 Code, is amended to read as follows:

2 Sec. 3971.0507. CONSENT OF MUNICIPALITY OR COUNTY REQUIRED.

3 (a) The board may not issue bonds until the governing body of
4 either a [~~each~~] municipality in whose corporate limits or
5 extraterritorial jurisdiction the district is located or the county
6 in which the district is located has consented by ordinance, [~~or~~]
7 resolution, or order to the creation of the district and to the
8 inclusion of land in the district.

9 (b) This section applies only to the district's first
10 issuance of bonds payable from ad valorem taxes.

11 SECTION 7. Sections 3971.0602(a) and (b), Special District
12 Local Laws Code, are amended to read as follows:

13 (a) The district may adopt a sales and use tax if:

14 (1) the city or the county consents to the adoption of
15 the tax; and

16 (2) the tax is authorized by a majority of the voters
17 of the district voting at an election held for that purpose.

18 (b) Subject to city or county consent under Subsection (a),
19 the board by order may call an election to authorize the adoption of
20 the sales and use tax. The election may be held on any uniform
21 election date and in conjunction with any other district election.

22 SECTION 8. Section 3971.0703(a), Special District Local
23 Laws Code, is amended to read as follows:

24 (a) The district may not impose a hotel occupancy tax unless
25 the city or the county consents to the imposition.

26 SECTION 9. (a) The legal notice of the intention to
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a
2 copy of this Act have been furnished to all persons, agencies,
3 officials, or entities to which they are required to be furnished
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
5 Government Code.

6 (b) The governor, one of the required recipients, has
7 submitted the notice and Act to the Texas Commission on
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed
10 its recommendations relating to this Act with the governor,
11 lieutenant governor, and speaker of the house of representatives
12 within the required time.

13 (d) All requirements of the constitution and laws of this
14 state and the rules and procedures of the legislature with respect
15 to the notice, introduction, and passage of this Act have been
16 fulfilled and accomplished.

17 SECTION 10. This Act takes effect immediately if it
18 receives a vote of two-thirds of all the members elected to each
19 house, as provided by Section 39, Article III, Texas Constitution.
20 If this Act does not receive the vote necessary for immediate
21 effect, this Act takes effect September 1, 2023.