

BILL ANALYSIS

C.S.H.B. 232
By: Eissler
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, homeowners in particular territories are being assessed property taxes from their Emergency Service District as well as paying for identical services from their fire department, under contract with their homeowner's association. This is due in large part to an oversight having occurred in the de-annexation of particular territories from their respective Emergency Service District.

The purpose of C.S.H.B. 232 is to rectify the "dual taxation" situation that residents of these particular territories continue to suffer. C.S.H.B. 232 excludes certain territory subject to ad valorem or annual variable budget assessments from Emergency Service Districts.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends the heading to Section 775.025, Health and Safety Code by removing the term "ad valorem."

SECTION 2. Amends Section 775.025(c), Health and Safety Code by adding annual variable budget based assessments to the types of assessments that can be administered and collected .

SECTION 3. Amends Section 775.025(o)(1), Health and Safety Code by adding annual variable budget based assessments to the types of assessments on real property that can be used in part to finance services provided by the district.

SECTION 4. Effective Date

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 232 modifies the original by providing for annual variable budget based assessments under Section 775.025(c), Health and Safety Code. Further, whereas H.B. 232 changes the definition of a planned community and territory under a planned community, CSHB 232 does not make any changes to the definition of a planned community under the Urban Growth and New Community Development Act of 1970, or the definition of "territory in a planned community" under Section 775.025(o), Health and Safety Code.