

BILL ANALYSIS

C.S.H.B. 1830
By: Wong
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A person who intends to apply for the passage of a law establishing a Municipal Management District (MMD) is required to provide public notice in a local newspaper for the 30 days before filing of the legislation. Very few people ever see this notice and are often unaware of the intention to establish the district until it is too late to provide public input.

C.S.H.B. 1830 requires a person to notify by mail all persons who own real property in the proposed district not later than the 30th day before the intended law is introduced in the legislature.

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

C.S.H.B. 1830 adds Section 313.006 to the Government Code to require that a person who intends to apply for the passage of a law establishing a special district deriving its power from Chapter 375 of the Local Government Code to provide public notice to all real property owners by certified mail not later than 30 days before the legislation is filed. The notice must contain a statement of the general purpose and substance of the law.

EFFECTIVE DATE

This Act takes effect September 1, 2005 or immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original required that the commissioners court in the county where the proposed district lies hold a public hearing before filing of the legislation. This requirement has been removed from the substitute.