

BILL ANALYSIS

C.S.H.B. 3550
By: Bailey
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A significant number of residential property owners within the boundaries of the Aldine Community Improvement District are currently using outdated septic systems, contributing to the contamination of shallow ground water wells and creating a public health hazard. The enacting clause of the district, Chapter 3817, Special District Local Law Code, prevents the district from financing infrastructure for waste water collection and treatment.

C.S.H.B. 3550 authorizes the Aldine Community Improvement District to use the powers of a municipal utility district so that the district may construct the infrastructure it needs to make improvements to the waste water systems within the district.

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. 3550 amend Chapter 3817, Special District Code, to modify the powers and restrictions of the Aldine Community District. The bill changes the name of the district to the Aldine Improvement District and gives the power to appoint two board members to the Harris County Commissioner's Court, the remaining members appointed by the commissioner's court from a list of persons nominated by the board.

The bill specifies that an improvement project or service may not be financed from assessment unless a written petition requesting that assessment is filed with the board. The petition must be signed by the owners of at least 50 percent of the land subject to the assessment or the owners of at least 50 percent of the surface area of real property subject to the assessment.

The bill establishes that the district shall have all the powers of a municipal utility district authorized under Subchapter J, Chapter 54, Water Code, except that the district does not have the power of eminent domain. The district may be include and participate in a tax increment reinvestment zone with the consent of the governing body of the City of Houston.

Finally, the bill requires the district to be approved by official action before the issuing of bonds for an improvement project and receive approval through the issuance of a permit for the plans and specifications of improvement project financed by a bond or plans and specifications of any improvement project related to the use of land owned by Harris County, an easement granted by Harris County, or a right-of-way of a street, road, or highway.

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 substitute adds the changes made to the district regarding the appointment of board members, establishes that the district may not use the powers of eminent domain, must receive the approval of the City of Houston to be included in a tax increment reinvestment zone, and

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adds the provision relating to the approval of projects and services in the district. The substitute also makes conforming changes due to the addition of sections to the bill.