

By: Eissler

H.B. No. 232

A BILL TO BE ENTITLED

AN ACT

relating to the exclusion from emergency services districts of certain territory subject to ad valorem assessments.

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

SECTION 1. Section 775.025(o), Health and Safety Code, is amended to read as follows:

(o) In this section, "planned~~+~~

~~[(1) "Planned]~~ community" means a planned community ~~[of 15,000 or more acres of land originally established under the Urban Growth and New Community Development Act of 1970 (42 U.S.C. Section 4501 et seq.)]~~ that is:

(1) ~~[(A)]~~ located in a county adjacent to a county with a population of 2,800,000 or more according to the most recent federal census; and

(2) ~~[(B)]~~ subject to restrictive covenants containing ad valorem based assessments on real property for use in part to finance services of the same general type provided by the district.

~~[(2) "Territory in a planned community" means territory that:~~

~~[(A) on the effective date of this section comprises all or part of a planned community; or~~

~~[(B) on the effective date of this section is contiguous to a planned community and later becomes part of that planned community.]~~

1           SECTION 2.   Section 775.025(n), Health and Safety Code, is  
2   repealed.

3           SECTION 3.   This Act takes effect immediately if it receives  
4   a vote of two-thirds of all the members elected to each house, as  
5   provided by Section 39, Article III, Texas Constitution.  If this  
6   Act does not receive the vote necessary for immediate effect, this  
7   Act takes effect September 1, 2005.