

By: Wong

H.B. No. 1830

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the notice provided for the establishment of municipal  
3 management districts.

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

5 SECTION 1. Chapter 313, Government Code, is amended by  
6 adding Section 313.006 to read as follows:

7 Sec. 313.006. NOTICE AND HEARING FOR LAWS ESTABLISHING  
8 MUNICIPAL MANAGEMENT DISTRICTS. (a) In addition to the other  
9 requirements of this chapter, a person who intends to apply for the  
10 passage of a law establishing a special district that incorporates  
11 a power from Chapter 375, Local Government Code, must provide  
12 notice and a hearing as provided by this section.

13 (b) The person shall notify by mail each person who owns  
14 real property in the proposed district, according to the most  
15 recent certified tax appraisal roll for the county in which the real  
16 property is owned. The notice, properly addressed with postage  
17 paid, must be deposited with the United States Postal Service not  
18 later than the 30th day before the date on which the intended law is  
19 introduced in the legislature.

20 (c) The notice is sufficient if it contains a statement of  
21 the general purpose and substance of the intended law and provides  
22 notice of the hearing required by Subsection (d). Notice of the  
23 particular form of the intended law or the terms used in the  
24 intended law is not required.

1       (d) Not later than the seventh day before the date on which  
2 the intended law is introduced in the legislature, the  
3 commissioners court of each county in which the district is wholly  
4 or partly located must hold a public hearing regarding the creation  
5 of the special district. Any interested person may appear before  
6 the commissioners court in person or by attorney and offer  
7 testimony on the special district and whether the district is  
8 feasible and necessary and would benefit all or any part of the land  
9 proposed to be included in the district.

10       SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2005.