

By: Bailey

H.B. No. 3550

Substitute the following for H.B. No. 3550:

By: Menendez

C.S.H.B. No. 3550

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Aldine Improvement District; providing authority to impose a tax and issue bonds.

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

SECTION 1. The heading to Chapter 3817, Special District Local Laws Code, is amended to read as follows:

CHAPTER 3817. ALDINE [~~COMMUNITY~~] IMPROVEMENT DISTRICT

SECTION 2. Section 3817.001(2), Special District Local Laws Code, is amended to read as follows:

(2) "District" means the Aldine [~~Community~~] Improvement District.

SECTION 3. Section 3817.002, Special District Local Laws Code, is amended to read as follows:

Sec. 3817.002. ALDINE [~~COMMUNITY~~] IMPROVEMENT DISTRICT. The Aldine [~~Community~~] Improvement District is a special district created under Section 59, Article XVI, Texas Constitution.

SECTION 4. Section 3817.052, Special District Local Laws Code, is amended to read as follows:

Sec. 3817.052. APPOINTMENT AND REMOVAL OF DIRECTORS. Sections 375.064 and 375.065, Local Government Code, govern the appointment and removal of directors, except that the commissioners court of Harris County shall appoint the directors of the board. The commissioners court shall appoint:

(1) two directors to be chosen by the commissioners

1 court with terms beginning on June 1, 2005 or the effective date of
2 this Act; and

3 (2) the remaining directors from a list of persons
4 nominated by the board, subject to review, and the commissioners
5 court shall approve or disapprove the directors recommended by the
6 board. [~~for purposes of this chapter references in those sections~~
7 ~~to the governing body of the municipality mean the commissioners~~
8 ~~court of Harris County.]~~

9 SECTION 5. Subchapter D, Chapter 3817, Special District
10 Local Laws Code, is amended by adding Section 3817.1545 to read as
11 follows:

12 Sec. 3817.1545. PETITION REQUIRED FOR FINANCING SERVICES
13 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
14 service or improvement project with assessments under this chapter
15 unless a written petition requesting that service or improvement
16 has been filed with the board.

17 (b) The petition must be signed by:

18 (1) the owners of 50 percent or more of the assessed
19 value of real property in the district subject to assessment
20 according to the most recent certified tax appraisal roll for
21 Harris County; or

22 (2) the owners of 50 percent or more of the surface
23 area of real property in the district subject to assessment.

24 (c) Section 375.114, Local Government Code, does not apply
25 to the district.

26 SECTION 6. Subchapter D, Chapter 3817, Special District
27 Local Laws Code, is amended by adding Sections 3817.159 and

1 3817.160 to read as follows:

2 Sec. 3817.159. POWERS OF MUNICIPAL UTILITY DISTRICT;
3 DEFINED AREA; TAXES; BONDS. The district may not exercise the
4 powers of eminent domain but shall have all the powers of a
5 municipal utility district under Subchapter J, Chapter 54, Water
6 Code, including:

7 (1) the implementation of a plan adopted under that
8 subchapter;

9 (2) the issuance of bonds; and

10 (3) the imposition of a tax in the defined area
11 established under that subchapter.

12 Sec. 3817.160. TAX INCREMENT ZONE POWERS. Upon the consent
13 of the governing body of the City of Houston, the district may be
14 included and participate in a reinvestment zone under Chapter 311,
15 Tax Code.

16 SECTION 7. Section 3817.105(a), Special District Local Laws
17 Code, is amended to read as follows:

18 (a) Except as provided by Subsection (b), by either official
19 action of the governing body of the city with respect to Subdivision
20 (1) or through the issuance of a permit with respect to Subdivisions
21 (2) and (3), the district must obtain the approval of the City of
22 Houston [~~Houston's governing body~~]:

23 (1) for the issuance of a bond for each improvement
24 project;

25 (2) of the plans and specifications of the improvement
26 project financed by the bond; and

27 (3) of the plans and specifications of any district

1 improvement project related to the use of land owned by Harris
2 County, an easement granted by Harris County, or a right-of-way of a
3 street, road, or highway.

4 SECTION 8. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2005.