

1-1 By: Bailey (Senate Sponsor - Gallegos) H.B. No. 3550  
1-2 (In the Senate - Received from the House May 16, 2005;  
1-3 May 17, 2005, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 20, 2005, reported favorably by  
1-5 the following vote: Yeas 4, Nays 0; May 20, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the powers and duties of the Aldine Improvement  
1-9 District; providing authority to impose a tax and issue bonds.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. The heading to Chapter 3817, Special District  
1-12 Local Laws Code, is amended to read as follows:

1-13 CHAPTER 3817. ALDINE [~~COMMUNITY~~] IMPROVEMENT DISTRICT

1-14 SECTION 2. Section 3817.001(2), Special District Local Laws  
1-15 Code, is amended to read as follows:

1-16 (2) "District" means the Aldine [~~Community~~]  
1-17 Improvement District.

1-18 SECTION 3. Section 3817.002, Special District Local Laws  
1-19 Code, is amended to read as follows:

1-20 Sec. 3817.002. ALDINE [~~COMMUNITY~~] IMPROVEMENT DISTRICT.

1-21 The Aldine [~~Community~~] Improvement District is a special district  
1-22 created under Section 59, Article XVI, Texas Constitution.

1-23 SECTION 4. Section 3817.052, Special District Local Laws  
1-24 Code, is amended to read as follows:

1-25 Sec. 3817.052. APPOINTMENT AND REMOVAL OF DIRECTORS.  
1-26 Sections 375.064 and 375.065, Local Government Code, govern the  
1-27 appointment and removal of directors, except that the commissioners  
1-28 court of Harris County shall appoint the directors of the board. The  
1-29 commissioners court shall appoint:

1-30 (1) two directors to be chosen by the commissioners  
1-31 court with terms beginning on June 1, 2005, or the effective date of  
1-32 this Act; and

1-33 (2) the remaining directors from a list of persons  
1-34 nominated by the board, subject to review, and the commissioners  
1-35 court shall approve or disapprove the directors recommended by the  
1-36 board. [~~for purposes of this chapter references in those sections~~  
1-37 ~~to the governing body of the municipality mean the commissioners~~  
1-38 ~~court of Harris County.]~~

1-39 SECTION 5. Subchapter D, Chapter 3817, Special District  
1-40 Local Laws Code, is amended by adding Section 3817.1545 to read as  
1-41 follows:

1-42 Sec. 3817.1545. PETITION REQUIRED FOR FINANCING SERVICES  
1-43 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
1-44 service or improvement project with assessments under this chapter  
1-45 unless a written petition requesting that service or improvement  
1-46 has been filed with the board.

1-47 (b) The petition must be signed by:

1-48 (1) the owners of 50 percent or more of the assessed  
1-49 value of real property in the district subject to assessment  
1-50 according to the most recent certified tax appraisal roll for  
1-51 Harris County; or

1-52 (2) the owners of 50 percent or more of the surface  
1-53 area of real property in the district subject to assessment.

1-54 (c) Section 375.114, Local Government Code, does not apply  
1-55 to the district.

1-56 SECTION 6. Subchapter D, Chapter 3817, Special District  
1-57 Local Laws Code, is amended by adding Sections 3817.159 and  
1-58 3817.160 to read as follows:

1-59 Sec. 3817.159. POWERS OF MUNICIPAL UTILITY DISTRICT;  
1-60 DEFINED AREA; TAXES; BONDS. The district may not exercise the  
1-61 powers of eminent domain but shall have all the powers of a  
1-62 municipal utility district under Subchapter J, Chapter 54, Water  
1-63 Code, including:

1-64 (1) the implementation of a plan adopted under that

2-1 subchapter;  
2-2 (2) the issuance of bonds; and  
2-3 (3) the imposition of a tax in the defined area  
2-4 established under that subchapter.

2-5 Sec. 3817.160. TAX INCREMENT ZONE POWERS. Upon the consent  
2-6 of the governing body of the City of Houston, the district may be  
2-7 included and participate in a reinvestment zone under Chapter 311,  
2-8 Tax Code.

2-9 SECTION 7. Section 3817.105(a), Special District Local Laws  
2-10 Code, is amended to read as follows:

2-11 (a) Except as provided by Subsection (b), by either official  
2-12 action of the governing body of the city with respect to Subdivision  
2-13 (1) or through the issuance of a permit with respect to Subdivisions  
2-14 (2) and (3), the district must obtain the approval of the City of  
2-15 Houston [~~Houston's governing body~~]:

2-16 (1) for the issuance of a bond for each improvement  
2-17 project;

2-18 (2) of the plans and specifications of the improvement  
2-19 project financed by the bond; and

2-20 (3) of the plans and specifications of any district  
2-21 improvement project related to the use of land owned by Harris  
2-22 County, an easement granted by Harris County, or a right-of-way of a  
2-23 street, road, or highway.

2-24 SECTION 8. This Act takes effect immediately if it receives  
2-25 a vote of two-thirds of all the members elected to each house, as  
2-26 provided by Section 39, Article III, Texas Constitution. If this  
2-27 Act does not receive the vote necessary for immediate effect, this  
2-28 Act takes effect September 1, 2005.

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