

BILL ANALYSIS

H.B. 2038
By: Laubenberg
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, cities may charge school districts impact fees, one-time fees against new school developments. These impact fees place an undue burden on districts, especially for those districts that are in fast-growth areas. Payment of impact fees by school districts to cities amounts to a needless transfer of money among public entities, and constitutes a de facto tax on school districts.

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

House Bill 2038 amends the Local Government Code to exempt school districts from being required to pay impact fees imposed under this chapter unless the board of trustees of the district consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees. The bill authorizes the contract to contain terms the board of trustees considers advisable to provide for the payment of the fees.

EFFECTIVE DATE

September 1, 2007.