BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4759 creates the Tornillo Management District (district) in an area outside the corporate limits and the extraterritorial jurisdiction of any city and within El Paso County. It is necessary to create the district to purchase, acquire, construct, or maintain facilities in order to promote commercial development. The district will provide needed funding to preserve, maintain, and enhance the community and will finance the construction of the necessary infrastructure, including water, sewer and drainage facilities, railways, and roads. The bill sets forth standard language for the creation, administration, powers, duties, operation, and financing of the district and provides the district with the authority to impose taxes and issue bonds.

H.B. 4759 creates the Tornillo Management District and provides authority to impose a tax and issue bonds. The bill prohibits the district from exercising the power of eminent domain.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle C, Title 4, Special District Local Laws Code, by adding Chapter 3845, as follows:

CHAPTER 3845. TORNILLO MANAGEMENT DISTRICT

Sets forth standard language for the creation of the Tornillo Management District (district). Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and initial territory of the district (Sections 3845.001-3845.050);

Size, composition, appointment, and terms of the board of directors of the district (Sections 3845.051-3845.100);

Powers and duties of the district (Sections 3845.101-3845.150);

General financial provisions and authority to impose a tax and to hold an election to issue taxes or bonds for the district (Sections 3845.151-3845.200); and

Authority to issue bonds and other obligations for the district (Sections 3845.201-3845.204).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2009.

SUMMARY OF COMMITTEE CHANGES

Amends H.B. 4759 in SECTION 1 of the bill, in proposed Section 3845.155(b), Special District Local Laws Code, (house engrossed version, page 8, lines 10-11), by striking "for which ad valorem tax revenue is authorized to be used" and substituting "that is an authorized use of hotel occupancy tax revenue under Chapter 351, Tax Code."