

BILL ANALYSIS

Senate Research Center
81R28849 SJM-D

H.B. 4775
By: Bonnen (Huffman)
Intergovernmental Relations
5/20/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Alden Lake Management District (district) will encompass an area within the corporate limits of the City of Lake Jackson, Texas. The land to be located within the district will be developed into commercial development; therefore, the district is needed to promote commercial growth.

Specifically, the district will be used to provide needed funding to preserve, maintain, and enhance the community, including traffic improvements, pedestrian facilities, and landscaping. It is necessary to create the district under Chapter 375 (Municipal Management Districts in General), Local Government Code, and Sections 52 (Counties, Cities, or other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds) and 52-a (Loan or Grant of Public Money for Economic Development), Article III (Legislative Department), and Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution, in order to purchase, acquire, construct, or maintain facilities to promote such commercial growth. It is also necessary to empower the district with authority to impose assessments and taxes and to issue bonds. The district will not have the power of eminent domain.

H.B. 4775 creates the Alden Lake Management District and provides the district the authority to impose an assessment, 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 3876, as follows:

CHAPTER 3876. ALDEN LAKE MANAGEMENT DISTRICT

Sets forth standard language for the creation of the Alden Lake Management District (district) in the City of Lake Jackson (city). Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3876.001-3876.050);

Size, composition, appointment, compensation, and terms of the board of directors of the district, including the naming of the initial directors (Sections 3876.051-3876.100);

Powers and duties of the district (Sections 3876.101-3876.150);

Authorization of parking facilities in the district (Sections 3876.151-3876.200);

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 3876.201-3876.250); and

Imposition of taxes for certain areas and designated property of the district (Sections 3876.251-3876.255).

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.