

BILL ANALYSIS

S.B. 1295
By: Hegar
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a management district does not exist for the area of land in Fort Bend County to be developed for commercial purposes in the Aliana development. The district will be used to provide needed funding to preserve, maintain, and enhance the community business center, including the provision of traffic improvements, pedestrian facilities, and landscaping.

S.B. 1295 creates the Aliana Management District to finance facilities, infrastructure, services, and economic opportunities in the commercial portion of the Aliana development.

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

S.B. 1295 amends the Special District Local Laws Code to set forth standard language for the creation of the Aliana Management District in Fort Bend County. The bill sets forth general provisions for the nature of the district, the district's public purpose and benefit, a requirement for county consent to the district's creation, and initial district territory; the number of members, composition, appointment, and terms of the board of directors of the district, as well as qualifications for service as a director; initial directors; and the powers and duties of the district, including the power to exercise the powers of a development corporation; to construct, acquire, improve, maintain, and operate a sports venue; to create economic development programs; and to exercise certain economic development powers relating to municipal planning and development and the issuance of obligations for municipal purposes. The bill specifies that the district's powers and duties do not include constructing, acquiring, maintaining, or operating a turnpike or toll road; creating programs or exercising the powers provided by law to certain municipalities operating a toll bridge; or exercising the power of eminent domain.

S.B. 1295 sets forth general financial provisions authorizing the district to issue bonds and other obligations, impose a property tax for operations and maintenance, impose contract taxes, impose a hotel occupancy tax, and impose a sales and use tax, subject to the approval of district voters with limited exception. The bill requires the board, for purposes of bonds payable wholly or partly from property taxes, to provide for the annual imposition of a continuing property tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required by law. The bill prohibits the total principal amount of bonds or other obligations issued or incurred to finance road projects from exceeding one-fourth of the assessed value of the real property in the district at the time of issuance. The bill sets forth in detail the initial boundaries of the district. The bill defines the terms "board," "director," and "district."

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1,

2009.

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