

BILL ANALYSIS

Senate Research Center
81R11947 MCK/KEL/PAM-D

S.B. 1756
By: Duncan
Administration
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Legislative Council (TLC) is required by law (Section 323.007 (Statutory Revision Program), Government Code) to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate later expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, and improving the draftsmanship of the law, if practicable—all toward promoting the stated purpose of making the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law.

In 1965, TLC adopted a long-range plan of compiling the law into codes arranged by general topics. This is the fourth bill in TLC's ongoing project of systematically codifying local laws governing a particular special district.

This bill adds chapters to the Special District Local Laws Code, with each chapter representing the local law or laws governing a particular special district.

TLC's legal staff has taken meticulous care to ensure that no substantive change has been made in the laws and to preserve any ambiguity or interpretation that may exist in the current laws.

The staff has developed an extensive mailing list, and drafts of the proposed chapters have been distributed to interested persons, including state agencies and representatives of each district whose local law was selected for inclusions, for review and comment. The staff studied submitted comments and suggestions and has taken action to satisfy any concerns expressed.

The proposed code is a nonsubstantive revision of Texas law. The substance of the law has not been altered. The sole purpose of the proposed chapters is to compile the local laws, arranged in a logical fashion, and rewrite them without altering their meaning or legal effect. If a particular source statute is ambiguous and the ambiguity cannot be resolved without a potential substantive effect, the ambiguity is preserved.

As proposed, S.B. 1756 provides a proposal for new chapters of the Special District Local Laws Code, which is a nonsubstantive revision of certain local laws concerning special districts organized by type of district. The bill is organized into four articles.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

ARTICLE 1. NONSUBSTANTIVE REVISION OF LOCAL LAWS
(Pages 1-899 of this bill.)

ARTICLE 2. CONFORMING AMENDMENTS
(Pages 900-940 of this bill.)

ARTICLE 3. REPEALER
(Pages 940-948 of this bill.)

ARTICLE 4. GENERAL MATTERS
(Page 949 of this bill.)

SECTION 4.01. LEGISLATIVE INTENT OF NO SUBSTANTIVE CHANGE.

SECTION 4.02. PRESERVATION OF VALIDATION MADE BY PREVIOUS LAW.

SECTION 4.03. EFFECTIVE DATE. Effective date: April 1, 2011.