

By: Coleman

H.B. No. 3734

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the imposition by an emergency services district of an
3 impact fee on new development to be used for capital improvements
4 and equipment.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 775, Health and Safety Code, is amended
7 by adding Subchapter I to read as follows:

8 SUBCHAPTER I. IMPACT FEE

9 Sec. 775.251. DEFINITIONS. In this subchapter:

10 (1) "Capital improvement" means a facility that:

11 (A) has a life expectancy of at least three
12 years;

13 (B) is owned and operated by or on behalf of a
14 district; and

15 (C) is used as a place from which emergency
16 services are disseminated or performed or where capital equipment
17 used in performing emergency services is normally located.

18 (2) "Emergency services" means services relating to
19 fire, rescue, and emergency medical services, including ambulance
20 services, and support services for those duties.

21 (3) "Impact fee" has the meaning assigned by Section
22 395.001, Local Government Code, and includes a charge or assessment
23 imposed by a district for purposes within the scope of that
24 definition and for the purpose of funding or recouping the cost of

1 capital equipment.

2 (4) "New development" has the meaning assigned by
3 Section 395.001, Local Government Code.

4 Sec. 775.252. IMPOSITION OF IMPACT FEE. A district may
5 impose and collect an impact fee against a new development of
6 property in the district on the terms and in the manner provided for
7 imposition and collection of an impact fee by a political
8 subdivision under Chapter 395, Local Government Code.

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2009.