

## **BILL ANALYSIS**

H.B. 707  
By: Laubenberg  
Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Public Improvement District Assessment Act provides for the creation of a public improvement district, the construction of certain public infrastructure in a district, and the funding of such infrastructure by assessments levied on property owners located within the boundaries of the district. Implementation of legislation passed pursuant to the act has been problematic because of the absence of detail in the legislation. As a result, the office of the attorney general has been reticent to approve the issuance of bonds secured by district assessments.

H.B.707 validates certain cities' actions undertaken to create a public improvement district, including actions taken to designate improvements, levy assessments, and issue bonds.

### **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**

H.B.707 validates all governmental acts and proceedings of a governing body of a municipality with a population of 500 or less according to the 2000 federal census under the Public Improvement District Assessment Act taken or occurring before the effective date of the bill to establish a public improvement district, designate improvements, levy assessments, or finance costs of improvements.

The bill makes its provisions inapplicable to an act or proceeding the validity of which is the subject of litigation that is pending on the effective date of the bill or a governmental act or proceeding that, under state law at the time the act or proceeding occurred, was a misdemeanor or a felony.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2011.