

BILL ANALYSIS

H.B. 1651
By: Alonzo
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

North Oak Cliff Municipal Management District was created by the 80th Legislature. The proposed bill would amend the original legislation created to establish the North Oak Cliff Municipal Management District and would provide that the district's bonds may be secured by revenue received by the district under Chapter 311, Tax Code, and to authorize the establishment of defined areas.

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

SECTION 1. Amends Section 3884.157(c) to provide that district bonds may be secured by revenue received by the district under Chapter 311, Tax Code.

SECTION 2. Adds Subchapter F, DEFINED AREAS which provides as follows:

Section 3884.301. **AUTHORITY TO ESTABLISH DEFINED AREAS OR DESIGNATED PROPERTY.** Provides that the district may define areas or designate certain property of the district to pay for improvements, facilities, or services that primarily benefit that area or property and do not generally and directly benefit the district as a whole.

Section 3884.302. **PROCEDURE TO ESTABLISH DEFINED AREAS OR DESIGNATED PROPERTY.** Provides that the District's board of directors may adopt an order to establishing one or more defined areas or designating property under Section 3884.301. Provides that the order must describe each defined area by metes and bounds or designate the specific property.

Section 3884.303. **TAX OR BOND ELECTION.** Provides that before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes of the area defined or property designated under Section 3884.302, the board shall hold an election in the defined area or in the boundaries of the designated property.

Section 3884.304. **DECLARING RESULT.** Provides that if a majority of the voters voting at the election approve the imposition of the tax or the issuance of the bonds, the board shall declare the results.

Section 3884.305. **TAXES FOR SERVICES, IMPROVEMENTS, AND FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY.** Provides that, on adoption of the order described by Section 3884.302 and voter approval under Section 3884.303, the district may apply separately, differently, equitably, and specifically its taxing power and lien authority to the defined area or designated property to provide money to construct, administer, maintain, and operate services, improvements, and facilities that primarily benefit the defined area or designated property.

Section 3884.306. **ISSUANCE OF BONDS AND IMPOSITION OF TAXES FOR DEFINED AREA OR DESIGNATED PROPERTY.** Provides that after adoption of the order described by Section 3884.302 and voter approval under Section 3884.303, the district may issue bonds to provide for any land, improvements, facilities, plants, equipment, and appliances for the defined area or designated property.

SECTION 3. Provides that the legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code. Provides that

the governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality. Provides that the Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time. Provides that all requirements of the constitution and 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.

EFFECTIVE DATE

September 1, 2011.