

BILL ANALYSIS

Senate Research Center
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S.B. 359
By: Wentworth
Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill amends the powers and duties of certain emergency services districts. There are currently two statutes under which emergency services districts may be created and operate: one governing districts in counties of 125,000 or less, and the other governing all other emergency services districts. There are 19 known emergency services districts operating under Chapter 776 (Emergency Services Districts in Counties of 125,000 or Less), Health and Safety Code. This bill repeals the statute governing districts in counties of 125,000 or less and converts all districts created under that statute to districts operating under the statute governing all others, thus bringing all districts under one governing statute and eliminating substantial duplication of statutory authority.

As proposed, S.B. 359 amends current law relating to the powers and duties of certain emergency services districts.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 775.0205(a), Health and Safety Code, to delete existing text referring to a district created under Chapter 776 (Emergency Services Districts in Counties of 125,000 or Less), Health and Safety Code.

SECTION 2. Amends Section 775.056(a), Health and Safety Code, to delete existing text referring to a district created under Chapter 776, Health and Safety Code.

SECTION 3. Amends Section 344.051(c), Local Government Code, to delete existing text authorizing a district to be created inside the boundaries of an emergency services district operating under Chapter 776, Health and Safety Code.

SECTION 4. Amends Section 323.101(f), Tax Code, to delete existing text providing that provisions of this chapter govern the application, collection, and administration of a sales and use tax imposed under Chapter 776, Health and Safety Code.

SECTION 5. Repealer: Chapter 776 (Emergency Services Districts in Counties of 125,000 or Less), Health and Safety Code.

SECTION 6. (a) Provides that on the effective date of this Act, a district created under Chapter 776, Health and Safety Code, is converted into a district operated under Chapter 775 (Emergency Services Districts), Health and Safety Code. Provides that a district converted under this section continues in existence and is subject to Chapter 775, Health and Safety Code.

(b) Provides that on and after the effective date of this Act, each person serving as an emergency commissioner of a district created under Chapter 776, Health and Safety Code, is an emergency services commissioner and is required to serve on the board of the

district as an emergency services commissioner for the remainder of the unexpired term to which the person was elected.

SECTION 7. Effective date: upon passage or September 1, 2011.