

By: Riddle

H.B. No. 3555

A BILL TO BE ENTITLED

AN ACT

relating to the payment of impact fees by school districts and institutions of higher education.

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

SECTION 1. Section 395.022, Local Government Code, is amended to read as follows:

Sec. 395.022. AUTHORITY OF POLITICAL SUBDIVISION OR INSTITUTION OF HIGHER EDUCATION TO PAY FEES. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(b) Political subdivisions and other governmental entities may pay impact fees imposed under this chapter.

(c) ~~(b)~~ A school district or institution of higher education is not required to pay impact fees imposed under this chapter unless the governing body ~~[board of trustees]~~ of the district or institution consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees. The contract may contain terms the board of trustees considers advisable to provide for the payment of the fees.

(d) A fee imposed under Section 49.212(d), Water Code, is considered an impact fee regardless of what it is called, considered, or deemed under that section or other law. To the extent of a conflict, this section controls over Section 49.212(d), Water Code.

1 SECTION 2. This Act takes effect September 1, 2011.