

BILL ANALYSIS

Senate Research Center
83R14562 JSL-F

H.B. 518
By: Pitts (Birdwell)
Intergovernmental Relations
5/3/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties have expressed the need for a certain management district in the City of Midlothian. H.B. 518 seeks to address this issue by creating the Windsor Hills Municipal Management District No. 1 (district) to provide certain improvement projects and services that confer a special benefit on property in the district and to pay for such projects and services by levying special assessments.

H.B. 518 amends the Special District Local Laws Code to create the district to provide certain improvements, projects, and services for public use and benefit. The bill provides for, among other provisions, water district powers, road district powers, public improvement district powers, municipal management district powers, contract powers, improvement projects or services in a definable area, and dissolution of the district. The district's powers and duties include, subject to certain requirements, including compliance with a certain development agreement between the City of Midlothian, Texas, and One Windsor Hills, L.P., and a certain finance plan between the city and the district, the authority to issue obligations and impose assessments. The district is prohibited from exercising the power of eminent domain; from constructing, acquiring, maintaining, or operating a toll road; and from imposing a property tax.

H.B. 518 prohibits the district from exercising any powers under the bill's provisions until the development agreement is executed, and sets such provisions to expire September 1, 2015, if the development agreement and finance plan are not executed by that date.

H.B. 518 amends current law relating to the creation of the Windsor Hills Municipal Management District No. 1, provides authority to issue bonds, and provides authority to impose assessments and fees.

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 Subtitle C, Title 4, Special District Local Laws Code, by adding Chapter 3907A, as follows:

CHAPTER 3907A. WINDSOR HILLS MANAGEMENT DISTRICT NO. 1

Sets forth standard language for the creation of the Windsor Hills Management District No. 1 (district) in the City of Windsor Hills. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3907A.001-3907A.007);

Size, composition, appointment, and terms of the board of directors, including the appointment of the initial voting directors (Sections 3907A.051-3907A.061);

Powers and duties of the district (Sections 3907A.101-3907A.110);

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 3907A.151-3907A.208); and

Dissolution of the district (Section 3907A.251-3907A.252).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that all requirements of the constitution and the 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.

SECTION 4. Effective date: upon passage or September 1, 2013.