

BILL ANALYSIS

C.S.H.B. 1276
By: Thompson, Ed
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, there is property along State Highway 288, within the corporate limits of the City of Pearland, that has been developed or is proposed to be developed as commercial and mixed-use property. C.S.H.B. 1276 seeks to create a management district over this property to administer and provide funding for economic development projects and services in the area.

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

C.S.H.B. 1276 amends the Special District Local Laws Code to create the Pearland Municipal Management District No. 2 to provide certain improvements, projects, and services for public use and benefit. The bill provides for, among other provisions, the annexation of land by the district. The district's powers and duties include, subject to certain requirements, the authorization to issue obligations and impose assessments and property, maintenance and operation, and contract taxes. The bill prohibits the district from exercising the power of eminent domain.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1276 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3867 to read as follows:

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CHAPTER 3867. PEARLAND MUNICIPAL MANAGEMENT DISTRICT NO. 2

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SUBCHAPTER A. GENERAL PROVISIONS

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Sec. 3867.001. DEFINITIONS.

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Sec. 3867.002. NATURE OF DISTRICT.

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Sec. 3867.003. PURPOSE;
DECLARATION OF INTENT.

Sec. 3867.003. PURPOSE;
DECLARATION OF INTENT.

Sec. 3867.004. FINDINGS OF BENEFIT
AND PUBLIC PURPOSE.

Sec. 3867.004. FINDINGS OF BENEFIT
AND PUBLIC PURPOSE.

Sec. 3867.005. INITIAL DISTRICT
TERRITORY.

Sec. 3867.005. INITIAL DISTRICT
TERRITORY.

Sec. 3867.006. ELIGIBILITY FOR
INCLUSION IN SPECIAL ZONES.

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INCLUSION IN SPECIAL ZONES.

Sec. 3867.007. APPLICABILITY OF
MUNICIPAL MANAGEMENT
DISTRICTS LAW.

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MUNICIPAL MANAGEMENT
DISTRICTS LAW.

Sec. 3867.008. CONSTRUCTION OF
CHAPTER.

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CHAPTER.

SUBCHAPTER B. BOARD OF
DIRECTORS

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DIRECTORS

Sec. 3867.051. GOVERNING BODY;
TERMS.

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TERMS.

Sec. 3867.052. APPOINTMENT OF
VOTING DIRECTORS.

Sec. 3867.052. APPOINTMENT OF
VOTING DIRECTORS.

Sec. 3867.053. NONVOTING
DIRECTORS.

Sec. 3867.053. NONVOTING
DIRECTORS.

Sec. 3867.054. QUORUM.

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Sec. 3867.055. INITIAL VOTING
DIRECTORS. (a) The initial board
consists of the following voting directors:

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DIRECTORS. (a) The initial board
consists of the following voting directors:

Pos. No. Name of Director

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- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____

- 1 Teir Allender
- 2 Steve Chandler
- 3 Will Deane
- 4 Stephanie King
- 5 John Moody
- 6 Rushi Patel
- 7 Sylvester L. Roeder III

(b) Of the initial directors, the terms of
directors appointed for positions one
through four expire June 1, 2015, and the
terms of directors appointed for positions
five through seven expire June 1, 2017.

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directors appointed for positions one
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terms of directors appointed for positions
five through seven expire June 1, 2017.

(c) Section 3867.052 does not apply to this
section.

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section.

(d) This section expires September 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3867.101. GENERAL POWERS AND DUTIES.

Sec. 3867.102. IMPROVEMENT PROJECTS AND SERVICES.

Sec. 3867.103. DEVELOPMENT CORPORATION POWERS.

Sec. 3867.104. NONPROFIT CORPORATION.

Sec. 3867.105. AGREEMENTS; GRANTS.

Sec. 3867.106. LAW ENFORCEMENT AND SECURITY SERVICES.

Sec. 3867.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

Sec. 3867.108. ECONOMIC DEVELOPMENT.

Sec. 3867.109. PARKING FACILITIES.

Sec. 3867.110. ANNEXATION OF LAND.

Sec. 3867.111. APPROVAL BY CITY.

Sec. 3867.112. NO EMINENT DOMAIN POWER.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3867.151. DISBURSEMENTS AND TRANSFERS OF MONEY.

Sec. 3867.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.

Sec. 3867.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS.

Sec. 3867.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

(d) This section expires September 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3867.101. GENERAL POWERS AND DUTIES.

Sec. 3867.102. IMPROVEMENT PROJECTS AND SERVICES.

Sec. 3867.103. DEVELOPMENT CORPORATION POWERS.

Sec. 3867.104. NONPROFIT CORPORATION.

Sec. 3867.105. AGREEMENTS; GRANTS.

Sec. 3867.106. LAW ENFORCEMENT AND SECURITY SERVICES.

Sec. 3867.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

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Sec. 3867.151. DISBURSEMENTS AND TRANSFERS OF MONEY.

Sec. 3867.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.

Sec. 3867.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS.

Sec. 3867.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

Sec. 3867.155. TAX AND ASSESSMENT ABATEMENTS.

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SUBCHAPTER E. TAXES AND BONDS

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Sec. 3867.201. ELECTIONS REGARDING TAXES AND BONDS.

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Sec. 3867.202. OPERATION AND MAINTENANCE TAX.

Sec. 3867.202. OPERATION AND MAINTENANCE TAX.

Sec. 3867.203. CONTRACT TAXES.

Sec. 3867.203. CONTRACT TAXES.

Sec. 3867.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

Sec. 3867.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

Sec. 3867.205. TAXES FOR BONDS.

Sec. 3867.205. TAXES FOR BONDS.

Sec. 3867.206. TAXES AND BONDS FOR RECREATIONAL FACILITIES.

Sec. 3867.206. TAXES AND BONDS FOR RECREATIONAL FACILITIES.

Sec. 3867.207. CITY NOT REQUIRED TO PAY DISTRICT OBLIGATIONS.

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SECTION 2. Establishes the boundaries for the Pearland Municipal Management District No. 2.

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SECTION 3. (a) 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.

SECTION 3. Same as introduced version.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) The general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and

road powers and the inclusion of land in those districts has been complied with.

(e) 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 have been fulfilled and accomplished.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 4. Same as introduced version.