

BILL ANALYSIS

C.S.H.B. 3874
By: Raney
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, certain undeveloped property within the corporate limits of the City of College Station in Brazos County is proposed to be developed as commercial and mixed-use property. C.S.H.B. 3874 seeks to create a management district over this property to administer and provide funding for public infrastructure, such as water, sewer, drainage, and road facilities, as well as other economic development projects and services in the district.

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. 3874 amends the Special District Local Laws Code to create the Rock Prairie 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. The district's powers and duties include, subject to certain requirements, the authorization to issue obligations and impose assessments and property, operation and maintenance, and contract taxes. The district is prohibited 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. 3874 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 3909 to read as follows: <u>CHAPTER 3909. ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2</u>	SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3909 to read as follows: <u>CHAPTER 3909. ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2</u>
<u>SUBCHAPTER A. GENERAL PROVISIONS</u>	<u>SUBCHAPTER A. GENERAL PROVISIONS</u>
<u>Sec. 3909.001. DEFINITIONS.</u>	<u>Sec. 3909.001. DEFINITIONS.</u>

Sec. 3909.002. NATURE OF DISTRICT.

Sec. 3909.002. NATURE OF DISTRICT.

Sec. 3909.003. PURPOSE;
DECLARATION OF INTENT.

Sec. 3909.003. PURPOSE;
DECLARATION OF INTENT.

Sec. 3909.004. FINDINGS OF BENEFIT
AND PUBLIC PURPOSE.

Sec. 3909.004. FINDINGS OF BENEFIT
AND PUBLIC PURPOSE.

Sec. 3909.005. INITIAL DISTRICT
TERRITORY.

Sec. 3909.005. INITIAL DISTRICT
TERRITORY.

Sec. 3909.006. ELIGIBILITY FOR
INCLUSION IN SPECIAL ZONES.

Sec. 3909.006. ELIGIBILITY FOR
INCLUSION IN SPECIAL ZONES.

Sec. 3909.007. APPLICABILITY OF
MUNICIPAL MANAGEMENT
DISTRICTS LAW.

Sec. 3909.007. APPLICABILITY OF
MUNICIPAL MANAGEMENT
DISTRICTS LAW.

Sec. 3909.008. CONSTRUCTION OF
CHAPTER.

Sec. 3909.008. CONSTRUCTION OF
CHAPTER.

SUBCHAPTER B. BOARD OF
DIRECTORS

SUBCHAPTER B. BOARD OF
DIRECTORS

Sec. 3909.051. GOVERNING BODY;
TERMS.

Sec. 3909.051. GOVERNING BODY;
TERMS.

Sec. 3909.052. RECOMMENDATIONS
FOR SUCCEEDING BOARD.

Sec. 3909.052. RECOMMENDATIONS
FOR SUCCEEDING BOARD.

Sec. 3909.053. NONVOTING
DIRECTORS.

Sec. 3909.053. NONVOTING
DIRECTORS.

Sec. 3909.054. QUORUM.

Sec. 3909.054. QUORUM

Sec. 3909.055. INITIAL VOTING
DIRECTORS. (a) The initial board
consists of the following voting directors:

Sec. 3909.055. INITIAL VOTING
DIRECTORS. (a) The mayor and the
members of the governing body of the city
shall appoint initial voting directors by
position. A person is appointed if a majority
of the members of the governing body and
the mayor vote to appoint that person.

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	
<u>2</u>	
<u>3</u>	
<u>4</u>	
<u>5</u>	

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

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

(c) Section 3909.052 does not apply to this
section.

(c) Section 3909.052 does not apply to this
section.

(d) This section expires September 1, 2017.

(d) This section expires September 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3909.101. GENERAL POWERS AND DUTIES.

Sec. 3909.102. IMPROVEMENT PROJECTS AND SERVICES.

Sec. 3909.103. DEVELOPMENT CORPORATION POWERS.

Sec. 3909.104. NONPROFIT CORPORATION.

Sec. 3909.105. AGREEMENTS; GRANTS.

Sec. 3909.106. LAW ENFORCEMENT SERVICES.

Sec. 3909.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

Sec. 3909.108. ECONOMIC DEVELOPMENT.

Sec. 3909.109. PARKING FACILITIES.

Sec. 3909.110. ANNEXATION OF LAND.

Sec. 3909.111. APPROVAL BY CITY.

Sec. 3909.112. NO EMINENT DOMAIN POWER

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3909.151. DISBURSEMENTS AND TRANSFERS OF MONEY.

Sec. 3909.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.

Sec. 3909.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS.

Sec. 3909.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

Sec. 3909.155. EXEMPTIONS.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3909.101. GENERAL POWERS AND DUTIES.

Sec. 3909.102. IMPROVEMENT PROJECTS AND SERVICES.

Sec. 3909.103. DEVELOPMENT CORPORATION POWERS.

Sec. 3909.104. NONPROFIT CORPORATION.

Sec. 3909.105. AGREEMENTS; GRANTS.

Sec. 3909.106. LAW ENFORCEMENT SERVICES.

Sec. 3909.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

Sec. 3909.108. ECONOMIC DEVELOPMENT.

Sec. 3909.109. PARKING FACILITIES.

Sec. 3909.110. ANNEXATION OF LAND.

Sec. 3909.111. APPROVAL BY CITY.

Sec. 3909.112. NO EMINENT DOMAIN POWER.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3909.151. DISBURSEMENTS AND TRANSFERS OF MONEY.

Sec. 3909.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.

Sec. 3909.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS.

Sec. 3909.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

Sec. 3909.155. EXEMPTIONS.

Sec. 3909.156. RESIDENTIAL PROPERTY NOT EXEMPT.

Sec. 3909.157. TAX AND ASSESSMENT ABATEMENT.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3909.201. ELECTIONS REGARDING TAXES AND BONDS.

Sec. 3909.202. OPERATION AND MAINTENANCE TAX.

Sec. 3909.203. CONTRACT TAXES.

Sec. 3909.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

Sec. 3909.205. TAXES FOR BONDS.

Sec. 3909.206. CITY NOT REQUIRED TO PAY DISTRICT OBLIGATIONS.

SECTION 2. Establishes the initial boundaries for Rock Prairie Management District No. 2.

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.

(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.

Sec. 3909.156. RESIDENTIAL PROPERTY NOT EXEMPT.

Sec. 3909.157. TAX AND ASSESSMENT ABATEMENT.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3909.201. ELECTIONS REGARDING TAXES AND BONDS.

Sec. 3909.202. OPERATION AND MAINTENANCE TAX.

Sec. 3909.203. CONTRACT TAXES

Sec. 3909.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

Sec. 3909.205. TAXES FOR BONDS.

Sec. 3909.206. CITY NOT REQUIRED TO PAY DISTRICT OBLIGATIONS.

SECTION 2. Substantially the same as introduced version, except makes a technical correction.

SECTION 3. Same as introduced version.

(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.