

By: Bonnen of Brazoria

H.B. No. 3397

A BILL TO BE ENTITLED

AN ACT

relating to comprehensive reviews of certain special districts.

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

SECTION 1. Title 1, Special District Local Laws Code, is amended by adding Chapter 2 to read as follows:

CHAPTER 2. COMPREHENSIVE REVIEW OF CERTAIN SPECIAL DISTRICTS

Sec. 2.001. DEFINITION. In this chapter, "special district" means a political subdivision of this state that has a limited geographic area, is created by local law or under general law for a special purpose, and is authorized to impose a tax, assessment, or fee. The term does not include a school district or junior college district.

Sec. 2.002. COMPREHENSIVE REVIEW REQUIRED. (a) At least once every six years, the governing body of a special district that has outstanding debt or imposed a tax, assessment, or fee shall conduct a comprehensive review of the district under this chapter.

(b) The governing body of a special district that issues debt or imposes a tax, assessment, or fee for the first time on or after September 1, 2013, shall conduct the first comprehensive review not later than the first anniversary of the date the governing body issues the debt or imposes the tax, assessment, or fee.

Sec. 2.003. COMPREHENSIVE SELF-EVALUATION REPORT. (a) After conducting the review, the governing body must publish a

1 written self-evaluation report not later than the 30th day before
2 the date of the public hearing required by Section 2.005.

3 (b) The self-evaluation report must include:

4 (1) an identification of the statutory provision
5 authorizing the special district;

6 (2) an identification of the mission, goals, and
7 objectives intended for the special district and an assessment of
8 the extent to which the mission, goals, and objectives have been
9 achieved, have failed to be achieved, or are continuing to be
10 achieved;

11 (3) an identification of the problem or need that the
12 special district was created to address and an assessment of the
13 extent to which the problem or need has been addressed, has failed
14 to be addressed, or is continuing to be addressed;

15 (4) an identification of the activities of the special
16 district that overlap or duplicate those of other governmental
17 entities;

18 (5) an identification of each tax, assessment, fee, or
19 penalty that the special district is authorized to impose or
20 collect;

21 (6) a statement of the revenue collected by the
22 special district and an assessment of whether the revenue exceeds
23 the amount needed to accomplish the mission, goals, and objectives
24 of the district; and

25 (7) an identification of the special district's
26 financial liabilities, including bonds and other obligations.

27 (c) The governing body must make the self-evaluation report

1 available for inspection by any person. The governing body must
2 take action to ensure that the self-evaluation report is posted
3 continuously on the special district's Internet website.

4 Sec. 2.004. NOTICE OF HEARING. (a) Not earlier than the
5 30th day or later than the 15th day before the date of the hearing
6 required by Section 2.005, the governing body of the special
7 district must publish notice of the hearing in at least one
8 newspaper of general circulation in the county in which the
9 district is located and on the district's Internet website. The
10 notice on the website must remain posted until the conclusion of the
11 hearing.

12 (b) The notice must contain a statement in the following
13 form:

14 "NOTICE OF PUBLIC MEETING TO CONSIDER THE COMPREHENSIVE
15 SELF-EVALUATION REPORT OF THE (INSERT NAME OF SPECIAL DISTRICT)

16 "The (insert name of the district) was created in (insert
17 year) to (insert purpose for district's creation). The district
18 imposes a (insert type of tax, assessment, or fee, as appropriate,
19 and the appropriate rate or amount). State law requires the
20 district to hold a hearing at least every six years to consider the
21 district's comprehensive self-evaluation report. The hearing will
22 be held on (insert date) at (insert time) at (insert location). A
23 copy of the district's comprehensive self-evaluation report is
24 available at (insert the physical address of the district's main
25 office, or the physical address of the main office of another local
26 political subdivision if the district does not maintain an office,
27 and the district's website address where the comprehensive

1 self-evaluation report is posted)."

2 Sec. 2.005. PUBLIC HEARING. (a) The governing body of a
3 special district must conduct a public hearing at which persons
4 interested in the self-evaluation report are given the opportunity
5 to be heard.

6 (b) Not later than the 10th day after the date of the public
7 hearing, the governing body must post on the special district's
8 Internet website:

9 (1) the minutes of the hearing;

10 (2) the estimated number of members of the public in
11 attendance at the hearing; and

12 (3) the number of witnesses testifying at the hearing.

13 Sec. 2.006. INTERNET WEBSITE. A special district shall
14 maintain an Internet website to comply with this chapter.

15 SECTION 2. The governing body of a special district to which
16 Section 2.002, Special District Local Laws Code, as added by this
17 Act, applies that has issued debt or imposed a tax, assessment, or
18 fee before the effective date of this Act must conclude the first
19 comprehensive review cycle required by that section not later than
20 September 1, 2014.

21 SECTION 3. This Act takes effect September 1, 2013.