

**BILL ANALYSIS**

C.S.H.B. 4147  
By: Reynolds  
Special Purpose Districts  
Committee Report (Substituted)

**BACKGROUND AND PURPOSE**

Municipal management districts have been used to promote the development of residential and commercial areas and to provide infrastructure and supplemental services required for those areas. Interested parties contend that such a district is needed to provide services in an undeveloped area of Missouri City, Texas. C.S.H.B. 4147 seeks to address this need.

**CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

**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. 4147 amends the Special District Local Laws Code to create the Missouri City Management District No. 1 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 including certain consent of the City of Missouri City, 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, 2015.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 4147 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted 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 3931 to read as follows:  
CHAPTER 3931. MISSOURI CITY

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CHAPTER 3931. MISSOURI CITY

MANAGEMENT DISTRICT NO. 1  
SUBCHAPTER A. GENERAL  
PROVISIONS  
Sec. 3931.001. DEFINITIONS.

Sec. 3931.002. NATURE OF DISTRICT.

Sec. 3931.003. PURPOSE;  
DECLARATION OF INTENT.

Sec. 3931.004. FINDINGS OF BENEFIT  
AND PUBLIC PURPOSE.

Sec. 3931.005. INITIAL DISTRICT  
TERRITORY.

Sec. 3931.006. ELIGIBILITY FOR  
INCLUSION IN SPECIAL ZONES.

Sec. 3931.007. APPLICABILITY OF  
MUNICIPAL MANAGEMENT  
DISTRICTS LAW.

Sec. 3931.008. CONSTRUCTION OF  
CHAPTER.

SUBCHAPTER B. BOARD OF  
DIRECTORS

Sec. 3931.051. GOVERNING BODY;  
TERMS. (a) The district is governed by a  
board of five voting directors who serve  
staggered terms of four years, with two or  
three directors' terms expiring June 1 of  
each odd-numbered year.

(b) The board by resolution may change the  
number of voting directors on the board if  
the board determines that the change is in  
the best interest of the district. The board  
may not consist of fewer than 5 or more  
than 11 voting directors.

Sec. 3931.052. APPOINTMENT OF  
VOTING DIRECTORS.

Sec. 3931.053. NONVOTING  
DIRECTORS.

Sec. 3931.054. QUORUM.

Sec. 3931.055. COMPENSATION.

Sec. 3931.056. INITIAL VOTING  
DIRECTORS. (a) The initial board  
consists of the following voting directors:

MANAGEMENT DISTRICT NO. 1  
SUBCHAPTER A. GENERAL  
PROVISIONS  
Sec. 3931.001. DEFINITIONS.

Sec. 3931.002. NATURE OF DISTRICT.

Sec. 3931.003. PURPOSE;  
DECLARATION OF INTENT.

Sec. 3931.004. FINDINGS OF BENEFIT  
AND PUBLIC PURPOSE.

Sec. 3931.005. INITIAL DISTRICT  
TERRITORY.

Sec. 3931.006. ELIGIBILITY FOR  
INCLUSION IN SPECIAL ZONES.

Sec. 3931.007. APPLICABILITY OF  
MUNICIPAL MANAGEMENT  
DISTRICTS LAW.

Sec. 3931.008. CONSTRUCTION OF  
CHAPTER.

SUBCHAPTER B. BOARD OF  
DIRECTORS

Sec. 3931.051. GOVERNING BODY;  
TERMS. (a) The district is governed by a  
board of seven voting directors who serve  
staggered terms of four years, with three or  
four directors' terms expiring June 1 of each  
odd-numbered year.

(b) The board by resolution may change the  
number of voting directors on the board if  
the board determines that the change is in  
the best interest of the district. The board  
may not consist of fewer than 5 or more  
than 11 voting directors.

Sec. 3931.052. APPOINTMENT OF  
VOTING DIRECTORS.

Sec. 3931.053. NONVOTING  
DIRECTORS.

Sec. 3931.054. QUORUM.

Sec. 3931.055. COMPENSATION.

Sec. 3931.056. INITIAL VOTING  
DIRECTORS. (a) The initial board  
consists of the following voting directors:

Pos. No. Name of Director

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2017, and the terms of directors appointed for positions four and five expire June 1, 2019.

(c) Section 3931.052 does not apply to this section.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3931.101. GENERAL POWERS AND DUTIES.

Sec. 3931.102. IMPROVEMENT PROJECTS AND SERVICES.

Sec. 3931.103. DEVELOPMENT CORPORATION POWERS.

Sec. 3931.104. NONPROFIT CORPORATION.

Sec. 3931.105. AGREEMENTS; GRANTS.

Sec. 3931.106. LAW ENFORCEMENT SERVICES.

Sec. 3931.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

Sec. 3931.108. PARKING FACILITIES.

Sec. 3931.109. ANNEXATION OF LAND.

Sec. 3931.110. APPROVAL BY CITY.

Sec. 3931.111. CONSENT OF CITY REQUIRED.

Sec. 3931.112. NO EMINENT DOMAIN POWER.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS;

Pos. No. Name of Director

- 1 Scott Frasier
- 2 Todd Burre
- 3 Anthony C. Francis
- 4 Jaime Virkus
- 5 David Bale
- 6 Vicki Ann DePriest
- 7 Curtis Williams

(b) Of the initial directors, the terms of directors appointed for positions one through four expire June 1, 2019, and the terms of directors appointed for positions five through seven expire June 1, 2017.

(c) Section 3931.052 does not apply to this section.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3931.101. GENERAL POWERS AND DUTIES.

Sec. 3931.102. IMPROVEMENT PROJECTS AND SERVICES.

Sec. 3931.103. DEVELOPMENT CORPORATION POWERS.

Sec. 3931.104. NONPROFIT CORPORATION.

Sec. 3931.105. AGREEMENTS; GRANTS.

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Sec. 3931.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

Sec. 3931.108. PARKING FACILITIES.

Sec. 3931.109. ANNEXATION OF LAND.

Sec. 3931.110. APPROVAL BY CITY.

Sec. 3931.111. CONSENT OF CITY REQUIRED.

Sec. 3931.112. NO EMINENT DOMAIN POWER.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS;

ASSESSMENTS

Sec. 3931.151. DISBURSEMENTS AND TRANSFERS OF MONEY.

Sec. 3931.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.

Sec. 3931.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS.

Sec. 3931.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3931.201. ELECTIONS REGARDING TAXES AND BONDS.

Sec. 3931.202. OPERATION AND MAINTENANCE TAX.

Sec. 3931.203. CONTRACT TAXES.

Sec. 3931.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

Sec. 3931.205. TAXES FOR BONDS.

Sec. 3931.206. CITY NOT REQUIRED TO PAY DISTRICT OBLIGATIONS.

SECTION 2. Establishes boundaries for the Missouri City Management District No. 1.

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

ASSESSMENTS

Sec. 3931.151. DISBURSEMENTS AND TRANSFERS OF MONEY.

Sec. 3931.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.

Sec. 3931.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS.

Sec. 3931.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3931.201. ELECTIONS REGARDING TAXES AND BONDS.

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Sec. 3931.203. CONTRACT TAXES.

Sec. 3931.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

Sec. 3931.205. TAXES FOR BONDS.

Sec. 3931.206. CITY NOT REQUIRED TO PAY DISTRICT OBLIGATIONS.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) 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, 2015.

SECTION 4. Same as introduced version.