

BILL ANALYSIS

C.S.S.B. 2047
By: Creighton
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

C.S.S.B. 2047 amends the Special District Local Laws Code to make statutory municipal utility district provisions relating to the enforcement of a real property restriction applicable to the Harris County Improvement District No. 17. The bill dissolves the district's board of directors on the later of June 1, 2015, or the bill's effective date. The bill reconstitutes the district's board of directors on the bill's effective date, names the directors, and provides for the directors' terms and for the appointment of successor directors. The bill adds specified territory to the district, and allows the district board to set different voter-approved tax rates by annexed area and base the rates on the amount of cost associated with the infrastructure needed to be financed by parcel.

C.S.S.B. 2047 amends current law relating to the territory included in, authority to issue taxes and bonds, petition required for certain assessment, the composition of the board of directors of, and the powers of the Harris County Improvement District No. 17.

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

SECTION 1. Amends Subchapter C, Chapter 3891, Special District Local Laws Code, by adding Section 3891.109, as follows:

Sec. 3891.109. ENFORCEMENT OF REAL PROPERTY RESTRICTIONS. Provides that Section 54.237 (Enforcement of Real Property Restrictions), Water Code, applies to the district.

SECTION 2. Amends Subchapter D, Chapter 3891, Special District Local Laws Code, by adding Sections 3891.159 and 3891.160, as follows:

Sec. 3891.159. POWERS OF MUNICIPAL UTILITY DISTRICT TO ESTABLISH DEFINED AREAS AND DESIGNATED PROPERTY; TAXES; BONDS. Provides that the district has the powers of a municipal utility district under Subchapter J (Services for Certain Defined Areas and Designated Property), Chapter 54 (Municipal Utility Districts), Water Code, including the power to:

- (1) implement a plan;
- (2) issue bonds; and
- (3) impose a tax in a defined area established under that subchapter.

Sec. 3891.160. PETITION REQUIRED FOR CERTAIN ASSESSMENT. Provides that the board may not impose an assessment on territory added to the district by an act of the legislature enacted after May 1, 2015, unless a written petition consenting to the imposition of assessments in the added territory has been filed with the board. The petition must be signed by the owners of at least two-thirds of the assessed value of real property in the added territory subject to assessment according to the most recent certified tax appraisal roll for the county or counties in which the real property is located.

SECTION 3. (a) Provides that, on the later of June 1, 2015, or the effective date of this Act, the board of directors of the Harris County Improvement District No. 17 is dissolved and is reconstituted to be composed of the following:

Pos. No.	Name of Director
1	James F. Wine
2	Joe Bullard
3	C. Laurence Allen Jr.
4	Daniel Dodson
5	Kendrick A. James

(b) Provides that the terms of the directors in positions 1, 2, and 3 expire June 1, 2017.

(c) Provides that the terms of the directors in positions 4 and 5 expire June 1, 2019.

(d) Requires the Harris County Commissioners Court to appoint successor directors as provided by Section 3891.052, Special District Local Laws Code.

SECTION 4. Sets forth the boundaries of the territory added to the territory of the Harris County Improvement District No. 17.

SECTION 5. Provides that 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 6. Effective date: upon passage or September 1, 2015.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2015.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.S.B 2047 differs from the original by adding a provision, under Subchapter D, Chapter 3891, Special District Local Law Code, Section 3891.160, that provides the board may not impose an assessment on territory added to the district by an act of the legislature enacted after May 1, 2015, unless a written petition consenting to the imposition of assessments in the added territory has been filed with the board. The petition must be signed by the owners of at least two-thirds of the assessed value of real property in the added territory subject to assessment according to the most recent certified tax appraisal roll for the county or counties in which the real property is located, whereas the original bill contained no such provision.