

By: Fallon

H.B. No. 3099

Substitute the following for H.B. No. 3099:

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C.S.H.B. No. 3099

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the effect of municipal annexation of the Venable Ranch  
3 Municipal Utility District No. 1 of Denton County; affecting the  
4 authority to impose a tax.

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

6 SECTION 1. Section 8469.251(a), Special District Local Laws  
7 Code, is amended to read as follows:

8 (a) Notwithstanding any other law, if all of the territory  
9 of the district or a district created by the division of the  
10 district is annexed by the city into the corporate limits of the  
11 city [~~before the date of the election held to confirm the creation~~  
12 ~~of the district and the district is confirmed at that election~~], the  
13 district may not be dissolved and continues in existence following  
14 annexation until:

15 (1) water, sanitary sewer, and drainage improvements  
16 and roads have been constructed to serve at least 90 percent of the  
17 territory of the district capable of development; or

18 (2) the board adopts a resolution consenting to the  
19 dissolution of the district.

20 SECTION 2. Section 8469.251(b), Special District Local Laws  
21 Code, as added by Chapter 1244 (S.B. 1877), Acts of the 83rd  
22 Legislature, Regular Session, 2013, is amended to read as follows:

23 (b) After annexation by the city:

24 (1) [~~the district may not impose an ad valorem tax,~~

1           ~~[(2)]~~ the district may impose a special assessment in  
2 the manner provided by Subchapter F, Chapter 375, Local Government  
3 Code; and

4           (2) ~~[(3)]~~ Section 375.161, Local Government Code,  
5 does not apply to the district.

6           SECTION 3. Section 8469.251(b), Special District Local Laws  
7 Code, as added by Chapter 1308 (H.B. 3914), Acts of the 83rd  
8 Legislature, Regular Session, 2013, is redesignated as Section  
9 8469.251(c) to read as follows:

10          (c) ~~[(b)]~~ Notwithstanding Section 54.016(f)(2), Water  
11 Code, an allocation agreement between the city and the district  
12 that provides for the allocation of the taxes or revenues of the  
13 district and the city following the date of inclusion of the  
14 district's territory in the corporate limits of the city may  
15 provide that the total annual ad valorem taxes collected by the city  
16 and the district from taxable property within the city's corporate  
17 limits may exceed the city's ad valorem tax on that property.

18           SECTION 4. (a) The legal notice of the intention to  
19 introduce this Act, setting forth the general substance of this  
20 Act, has been published as provided by law, and the notice and a  
21 copy of this Act have been furnished to all persons, agencies,  
22 officials, or entities to which they are required to be furnished  
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
24 Government Code.

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

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

5           (d) All requirements of the constitution and laws of this  
6 state and the rules and procedures of the legislature with respect  
7 to the notice, introduction, and passage of this Act are fulfilled  
8 and accomplished.

9           SECTION 5. This Act takes effect September 1, 2015.