

A BILL TO BE ENTITLED

AN ACT

relating to a common characteristic or use project in and to the establishment of a public improvement district in certain municipalities.

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

SECTION 1. Section 372.0035, Local Government Code, is amended to read as follows:

Sec. 372.0035. COMMON CHARACTERISTIC OR USE FOR PROJECTS IN CERTAIN MUNICIPALITIES. (a) This section applies only to:

(1) a municipality that:

(A) has a population of more than 750,000 and less [~~one million and a council-manager form of government and that is located wholly or partly in a county with a population of more~~] than two million; or

(B) has a population of more than 325,000 and less than 625,000; and

(2) a public improvement district established under this subchapter and solely composed of territory in which the only businesses are:

(A) hotels with 100 or more rooms ordinarily used for sleeping, if the district is established by a municipality described by Subdivision (1)(A); or

(B) hotels with 75 or more rooms ordinarily used for sleeping, if the district is established by a municipality

1 described by Subdivision (1)(B).

2 (b) A municipality may undertake a project that confers a
3 special benefit on areas that share a common characteristic or use.
4 The areas may be noncontiguous.

5 (c) This section does not prohibit a municipality from or
6 limit a municipality to establishing a district that includes a
7 noncontiguous area authorized by this subchapter.

8 (d) A municipality that undertakes a project under this
9 section may:

10 (1) adopt procedures for the collection of assessments
11 under this chapter that are consistent with the municipality's
12 procedures for the collection of a hotel occupancy tax under
13 Chapter 351, Tax Code; and

14 (2) pursue remedies for the failure to pay an
15 assessment under this chapter that are available to the
16 municipality for failure to pay a hotel occupancy tax under Chapter
17 351, Tax Code.

18 (e) Notwithstanding Section 372.005(b), Local Government
19 Code, a petition for the establishment of a public improvement
20 district under this section is sufficient only if signed by:

21 (1) owners of taxable real property representing more
22 than 60 percent of the appraised value of taxable real property
23 liable for assessment under the proposal, as determined by the
24 current roll of the appraisal district in which the property is
25 located; and

26 (2) record owners of real property liable for
27 assessment under the proposal who:

1 (A) constitute more than 60 percent of all record
2 owners of property that is liable for assessment under the
3 proposal; or

4 (B) own taxable real property that constitutes
5 more than 60 percent of the area of all taxable real property that
6 is liable for assessment under the proposal.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2015.