

BILL ANALYSIS

Senate Research Center
85R9556 DMS-F

H.B. 2938
By: Reynolds (Huffman)
Agriculture, Water & Rural Affairs
5/17/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Sienna Plantation Levee Improvement District (Sienna LID) of Fort Bend County would like to make significant improvements to a recreational facility in its jurisdiction. Sienna LID would also like to fund the project through issuing parks and recreational facility bonds. In order to do so, certain statutory changes bracketed to Sienna LID are required.

H.B. 2938 defines the district as a conservation and reclamation district.

H.B. 2938 increases the cap on bonds supported by ad valorem taxes that may be issued by the district from one percent of the taxable property in the district to two percent.

The committee substitute for H.B. 2938 removes language from the bill that would have exempted the district from TCEQ's approval process for bonds.

H.B. 2938 amends current law relating to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 1 and 8, Chapter 986, Acts of the 78th Legislature, Regular Session, 2003, as follows:

Sec. 1. AUTHORITY. Provides that the Sienna Plantation Levee Improvement District of Fort Bend County, Texas (Sienna LID), is a conservation and reclamation district created under the authority of Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), and Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III (Legislative Department), Texas Constitution, and provides that it is granted certain authority.

Sec. 8. BONDS. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Provides that Section 49.181 (Authority of Commission Over Issuance of District Bonds), Water Code, does not apply to bonds issued by Sienna LID under Section 49.4645 (District in Certain Counties: Bonds for Recreational Facilities), Water Code, if the bonds are not intended to reimburse a developer in Sienna LID.

(c) Prohibits the outstanding principal amount of bonds, notes, and other obligations issued to finance parks and recreational facilities supported by ad

valorem taxation from exceeding an amount equal to two percent of the taxable property in Sienna LID.

SECTION 2. (a) Provides that the legislature validates and confirms all acts and proceedings of the board of directors of the Sienna LID that were taken before the effective date of this Act.

(b) Provides that Subsection (a) does not apply to any matter that on the effective date of this Act is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court or has been held invalid by a final judgment of a court.

SECTION 3. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2017.