

## **BILL ANALYSIS**

Senate Research Center  
86R33781 JCG-D

C.S.H.B. 4653  
By: Bailes (Nichols)  
Intergovernmental Relations  
5/17/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 4653 amends the Special District Local Laws Code to create the Tarkington Management District No. 1 of Liberty County (district) containing approximately 810 acres of land not within the extraterritorial jurisdiction or corporate limits of any city, and located generally west of Highway 321, east of County Road 3011, and north of County Road 2322. Subject to voter approval at a confirmation election, H.B. 4653 provides for certain improvements, projects, and services for public use and benefit. H.B. 4653 provides for, among other provisions, management district powers, contract powers, and district eligibility for inclusion in special zones under the Tax Code. The bill also provides for the annexation or exclusion of district land, division of the district, and dissolution of the district. The district's powers and duties include, subject to certain requirements, the authorization to impose assessments and the power to issue obligations secured by ad valorem taxes, assessments, or any other district source of revenue. Voter approval at an election is required for the district to impose an ad valorem tax or operation and maintenance tax. H.B. 4653 provides that the district will have no eminent domain authority.

The committee substitute removes three clauses in the bill. Those are development corporation powers, rural public transport powers, and the competitive bidding clause.

C.S.H.B. 4653 amends current law relating to the creation of Tarkington Management District No. 1 of Liberty County; provides authority to issue bonds; and provides authority to impose assessments, fees, or taxes.

### **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 Subtitle C, Title 4, Special District Local Laws Code, by adding Chapter 3973, as follows:

#### **CHAPTER 3973. TARKINGTON MANAGEMENT DISTRICT NO. 1 OF LIBERTY COUNTY**

Sets forth standard language for the creation of Tarkington Management District No. 1 of Liberty County (district) in Liberty County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 3973.0101–3973.0109);

Size, composition, election or appointment, compensation, and terms of the board of directors of the district, including the naming of and provisions related to temporary directors (Sections 3973.0201–3973.0204);

Powers and duties of the district (Sections 3973.0301–3973.0315);

General financial provisions and authority to impose assessments and taxes and to issue bonds and obligations for the district (Sections 3973.0401–3973.0607) and

Provisions related to defined areas (Sections 3973.0701–3973.0706).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

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 have been fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2019.