

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 4752
By: Dutton (Whitmire)
Intergovernmental Relations
5/20/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Barrett is a rural community located in an unincorporated area of Harris County. The United States Department of Housing and Urban Development (HUD) has recognized Barrett as a community in need of targeted intervention and assistance. H.B. 4752 proposes the amendment of boundaries of the Barrett Management District (district) as a vehicle through which such targeted intervention and assistance can be provided.

H.B. 4752 amends and clarifies the boundaries of the existing district to be enclosed by various streets in the unincorporated area in which it is located. (Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 4752 amends current law relating to the territory of the Barrett Management District.

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 Section 3930.005, Special District Local Laws Code, as follows:

Sec. 3930.005. DISTRICT TERRITORY. (a) Provides that the Barrett Management District (district) is composed of the territory described by Section 2 of the Act enacting this chapter, as that territory may have been modified under this section, Section 3930.107, or other law.

(b) Makes no changes to this subsection.

(c) Requires the district to hold an election in the additional territory in the new boundaries of the district described by Section 2 of the Act enacting this subsection on a uniform election date provided by Section 41.001, Election Code, to confirm the addition of the territory to the district.

(d) Requires notice of the confirmation election to state the day and place or places for holding the election and the proposition to be voted on.

(e) Requires the ballots for the confirmation election to be printed to provide for voting "For New District Boundaries" and "Against New District Boundaries."

(f) Requires the presiding judge, immediately after the confirmation election, to take returns of the results to the board of directors of the district (board). Requires the board to canvass the returns and issue an order declaring the results at the earliest practicable time. Requires the order to include a description of the district's boundaries according to the results of the election.

(g) Requires the board, if at least 60 percent of the votes cast in the election favor the addition of the territory to the district, to issue an order declaring that the

additional territory is added to the district and enter the result in its minutes. Requires the board, if less than 60 percent of the votes cast in the election favor the addition of the territory to the district, to issue an order declaring that the addition was defeated and enter the result in its minutes.

(h) Requires a copy of each order issued under this section to be filed:

(1) in the deed records of Harris County; and

(2) with the Texas Commission on Environmental Quality.

(i) Provides that, notwithstanding Subsections (a) and (b) of this section, if at least 60 percent of the votes cast in the election favor the addition of the territory in the new boundaries described by Section 2 of the Act enacting this subsection to the district, the district is composed of the territory in those new boundaries, as that territory may have been modified under Section 3930.107 or other law. Provides that the boundaries of the district contained in Section 2 of the Act enacting this subsection form a closure. Provides that a mistake in the description of the district contained in Section 2 of the Act enacting this subsection or in copying the description in the legislative process does not in any way affect the district's:

(1) organization, existence, or validity; or

(2) legality or operation.

(j) Provides that, if less than 60 percent of the votes cast in the election favor the addition of the territory in the new boundaries described by Section 2 of the Act enacting this subsection to the district:

(1) Subsections (a) and (b) apply to the territory of the district; and

(2) the new boundaries described by Section 2 of the Act enacting this subsection are void.

SECTION 2. Provides that the district includes all the territory contained in the area enclosed by:

(1) Sralla Road from Kennings Road to Barbers Hill Road;

(2) Barbers Hill Road from Sralla Road to Crosby Lynchburg Road;

(3) Crosby Lynchburg Road from Barbers Hill Road to Floyd Road;

(4) Floyd Road from Crosby Lynchburg Road to the San Jacinto River;

(5) the San Jacinto River from Floyd Road to Beaumont Highway;

(6) Beaumont Highway from the San Jacinto River to Crosby Lynchburg Road;

(7) Crosby Lynchburg Road from Beaumont Highway to the northbound U.S. Highway 90 Frontage Road;

(8) the northbound U.S. Highway 90 Frontage Road from Crosby Lynchburg Road to Kennings Road; and

(9) Kennings Road from the northbound U.S. Highway 90 Frontage Road to Sralla Road.

SECTION 3. 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 4. Effective date: upon passage or September 1, 2019.