

1-1 By: Dutton (Senate Sponsor - Whitmire) H.B. No. 4604
1-2 (In the Senate - Received from the House May 12, 2021;
1-3 May 18, 2021, read first time and referred to Committee on Local
1-4 Government; May 22, 2021, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
1-6 May 22, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11			X	
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 4604 By: Menéndez

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the authority of the Barrett Management District to
1-22 finance an improvement project or service.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter D, Chapter 3930, Special District
1-25 Local Laws Code, is amended by adding Section 3930.1515 to read as
1-26 follows:

1-27 Sec. 3930.1515. ELECTION REQUIRED FOR FINANCING SERVICES
1-28 AND IMPROVEMENTS. The board may not finance a service or an
1-29 improvement project under this chapter unless the service or
1-30 improvement is approved by 60 percent of the votes cast in an
1-31 election held for that purpose. The election must be conducted in
1-32 the manner provided by Subchapter D, Chapter 49, Water Code, for a
1-33 bond election.

1-34 SECTION 2. Section 3930.154, Special District Local Laws
1-35 Code, is amended to read as follows:

1-36 Sec. 3930.154. ASSESSMENTS; LIENS FOR ASSESSMENTS [NOT
1-37 AUTHORIZED]. (a) The board by resolution may impose and collect an
1-38 assessment for any purpose authorized by this chapter in all or any
1-39 part of the district [The district may not impose an assessment].

1-40 (b) An assessment, a reassessment, or an assessment
1-41 resulting from an addition to or correction of the assessment roll
1-42 by the district, penalties and interest on an assessment or
1-43 reassessment, an expense of collection, and reasonable attorney's
1-44 fees incurred by the district:

1-45 (1) are a first and prior lien against the property
1-46 assessed;

1-47 (2) are superior to any other lien or claim other than
1-48 a lien or claim for county, school district, or municipal ad valorem
1-49 taxes; and

1-50 (3) are the personal liability of and a charge against
1-51 the owners of the property even if the owners are not named in the
1-52 assessment proceedings.

1-53 (c) The lien is effective from the date of the board's
1-54 resolution imposing the assessment until the date the assessment is
1-55 paid. The board may enforce the lien in the same manner that the
1-56 board may enforce an ad valorem tax lien against real property.

1-57 (d) The board may make a correction to or deletion from the
1-58 assessment roll that does not increase the amount of assessment of
1-59 any parcel of land without providing notice and holding a hearing in
1-60 the manner required for additional assessments [Subchapter F,

2-1 ~~Chapter 375, Local Government Code, does not apply to the~~
2-2 ~~district].~~

2-3 SECTION 3. Section 3930.151, Special District Local Laws
2-4 Code, is repealed.

2-5 SECTION 4. (a) The legal notice of the intention to
2-6 introduce this Act, setting forth the general substance of this
2-7 Act, has been published as provided by law, and the notice and a
2-8 copy of this Act have been furnished to all persons, agencies,
2-9 officials, or entities to which they are required to be furnished
2-10 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-11 Government Code.

2-12 (b) The governor, one of the required recipients, has
2-13 submitted the notice and Act to the Texas Commission on
2-14 Environmental Quality.

2-15 (c) The Texas Commission on Environmental Quality has filed
2-16 its recommendations relating to this Act with the governor,
2-17 lieutenant governor, and speaker of the house of representatives
2-18 within the required time.

2-19 (d) All requirements of the constitution and laws of this
2-20 state and the rules and procedures of the legislature with respect
2-21 to the notice, introduction, and passage of this Act have been
2-22 fulfilled and accomplished.

2-23 SECTION 5. This Act takes effect immediately if it receives
2-24 a vote of two-thirds of all the members elected to each house, as
2-25 provided by Section 39, Article III, Texas Constitution. If this
2-26 Act does not receive the vote necessary for immediate effect, this
2-27 Act takes effect September 1, 2021.

2-28 * * * * *