

1 AN ACT

2 relating to public improvement districts designated by a
3 municipality or county.

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

5 SECTION 1. Section 372.003, Local Government Code, is
6 amended by adding Subsection (b-1) to read as follows:

7 (b-1) Payment of expenses under Subsection (b)(14) may also
8 include expenses related to the operation and maintenance of mass
9 transportation facilities.

10 SECTION 2. Subchapter A, Chapter 372, Local Government
11 Code, is amended by adding Section 372.0035 to read as follows:

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

14 (1) a municipality that has a population of more than
15 one million and a council-manager form of government and that is
16 located wholly or partly in a county with a population of more than
17 two million; and

18 (2) a public improvement district established under
19 this subchapter and solely composed of territory in which the only
20 businesses are hotels with 100 or more rooms ordinarily used for
21 sleeping.

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

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

4 SECTION 3. Subchapter A, Chapter 372, Local Government
5 Code, is amended by adding Section 372.0055 to read as follows:

6 Sec. 372.0055. DEFERRED ASSESSMENT; ESTIMATE. If a
7 proposed improvement under Section 372.005 includes a deferred
8 assessment, before holding the hearing required by Section 372.009,
9 the governing body of the municipality or county must estimate:

10 (1) the appraised value of taxable real property
11 liable for assessment in the district; and

12 (2) the cost of the improvement.

13 SECTION 4. Section 372.017(b), Local Government Code, is
14 amended to read as follows:

15 (b) After all objections have been heard and the governing
16 body has passed on the objections, the governing body by ordinance
17 or order shall levy the assessment as a special assessment on the
18 property. The governing body by ordinance or order shall specify
19 the method of payment of the assessment. The governing body may
20 defer an assessment until a date the governing body specifies in the
21 ordinance or order. The governing body may provide that assessments
22 be paid in periodic installments, at an interest rate and for a
23 period approved by the governing body. The provision that
24 assessments be paid in periodic installments may, but is not
25 required to, result in level annual installment payments. The
26 installments must be in amounts necessary to meet annual costs for
27 improvements and must continue for:

1 (1) the period necessary to retire the indebtedness on
2 the improvements; or

3 (2) the period approved by the governing body for the
4 payment of the installments.

5 SECTION 5. Section 372.041(a), Local Government Code, is
6 amended to read as follows:

7 (a) A home-rule municipality may create improvement
8 districts for the purposes of:

9 (1) levying, straightening, widening, enclosing, or
10 otherwise improving a river, creek, bayou, stream, other body of
11 water, street, or alley;

12 (2) draining, grading, filling, and otherwise
13 protecting and improving the territory within the municipality's
14 limits; ~~and~~

15 (3) issuing bonds to finance improvements listed in
16 this subsection; and

17 (4) financing an improvement described in Subchapter
18 A.

19 SECTION 6. This Act takes effect September 1, 2011.

David Newkumst

President of the Senate

Joe Straus

Speaker of the House

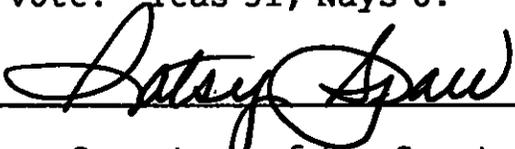
I certify that H.B. No. 1400 was passed by the House on April 14, 2011, by the following vote: Yeas 142, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 1400 on May 26, 2011, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 1400 on May 29, 2011, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

Robert Nancy

Chief Clerk of the House

H.B. No. 1400

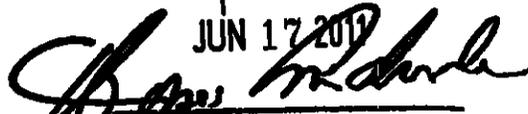
I certify that H.B. No. 1400 was passed by the Senate, with amendments, on May 24, 2011, by the following vote: Yeas 30, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 1400 on May 29, 2011, by the following vote: Yeas 31, Nays 0.


Secretary of the Senate

APPROVED: 17 JUN '11
Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:00 O'CLOCK

JUN 17 2011

Secretary of State