

BILL ANALYSIS

C.S.H.B. 4297
By: Miller
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that an area located within Sugar Land would benefit from the creation a management district. C.S.H.B. 4297 seeks to provide for the creation of such a district.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4297 amends the Special District Local Laws Code to create the Telfair Tract 5 Commercial Management District to provide certain improvements, projects, and services for public use and benefit. The bill provides for, among other provisions, the annexation or exclusion of district land and the dissolution of the district. The bill sets out the district's powers and duties, which include public improvement district powers, municipal management district powers, and, subject to certain requirements, the authority to borrow money, issue obligations, and impose assessments and property, operation and maintenance, and contract taxes. The bill prohibits the district from exercising the power of eminent domain.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4297 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3953 to read as follows:
CHAPTER 3953. TELFAIR TRACT 5 COMMERCIAL MANAGEMENT

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DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3953.051. GOVERNING BODY; TERMS.

Sec. 3953.052. APPOINTMENT OF VOTING DIRECTORS; QUALIFICATIONS.

Sec. 3953.053. NONVOTING DIRECTORS.

Sec. 3953.054. REMOVAL OF DIRECTORS.

Sec. 3953.055. QUORUM.

Sec. 3953.056. INITIAL VOTING DIRECTORS. (a) The initial board consists of the following voting directors:

Pos. No. Name of Director

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____

(b) Of the initial directors, the terms of directors appointed for positions one through five expire June 1, 2019, and the terms of directors appointed for positions six through nine expire June 1, 2021.

(c) Section 3953.052 does not apply to this section.

(d) This section expires September 1, 2021.

SUBCHAPTER C. POWERS AND DUTIES

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

SUBCHAPTER F. DISSOLUTION

SECTION 2. Sets out the metes and bounds of the district.

85R 27804

Substitute Document Number: 85R 19870

DISTRICT

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Sec. 3953.055. QUORUM.

Sec. 3953.056. INITIAL VOTING DIRECTORS. (a) The initial board consists of the following voting directors:

Pos. No. Name of Director

- 1 Steve Griffith
- 2 Jennifer Brown
- 3 Gary Becker
- 4 Michael Schiff
- 5 Greg Wine
- 6 Bob McPherson
- 7 Alan Bauer
- 8 Dan Whitton
- 9 Brandi Coatsworth

(b) Of the initial directors, the terms of directors appointed for positions one through five expire June 1, 2019, and the terms of directors appointed for positions six through nine expire June 1, 2021.

(c) Section 3953.052 does not apply to this section.

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SUBCHAPTER C. POWERS AND DUTIES

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

SUBCHAPTER F. DISSOLUTION

SECTION 2. Same as introduced version.

17.122.894

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

(d) The general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with.

(e) 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. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.