

BILL ANALYSIS

C.S.H.B. 4635
By: Zerwas
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that an area in Fort Bend County would benefit from the creation of a management district. C.S.H.B. 4635 seeks to provide for the creation of the Orchard Management District No. 1.

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. 4635 amends the Special District Local Laws Code to create the Orchard Management District No. 1 to provide certain improvements, projects, and services for public use and benefit, including certain road projects, law enforcement services, and recreational and rail facilities. The bill provides for, among other provisions, the conveyance and approval of a road project, certain strategic partnership and regional participation agreements with a municipality, the addition to or exclusion of land from the district, disbursements and transfers of money, an alternative to a required audit, and the dissolution of the district. The bill sets out the district's powers and duties, which include, subject to certain requirements and municipal and voter consent, as applicable, the authority to issue obligations and impose assessments and property, operation and maintenance, and sales and use 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, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4635 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute requires the district's board of directors to receive municipal consent before incurring any debt or holding an election to impose a property tax.