

SUBJECT: Nonsubstantive additions to the Special District Local Laws Code

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 6 ayes — Swinford, Paxton, Van Arsdale, Christian, B. Cook, Farrar
0 nays
3 absent — Flynn, Parker, Veasey

WITNESSES: For — None
Against — None
On — Mark Moore, Texas Legislative Council

BACKGROUND: Under Government Code, sec. 323.007, the Texas Legislative Council is required to make periodic revisions to Texas statutes to make them more accessible, understandable, and usable without altering the sense, meaning, or effect of the law. As part of this process, the Legislative Council reclassifies and rearranges statutes in a more logical order; employs a numbering system and format that will accommodate future expansion of the law; eliminates repealed, invalid, or duplicative provisions; and improves the draftsmanship of the law.

The 78th Legislature in 2003 enacted HB 3508 by Marchant, a new Special District Local Laws Code, which includes the statutes governing various local districts. The new code took effect April 1, 2005.

DIGEST: HB 3166 would transfer the statutes for various local districts to the Special District Local Laws Code. It would make conforming changes to portions of certain local laws that were not recodified. It would repeal portions of existing law that would be recodified, but would preserve in effect any validating laws repealed by the bill.

The bill would state legislative intent that the bill is intended as a recodification only and would make no substantive change in the law. It would not increase or decrease the boundary of any special district as it existed on the effective date of the bill.
The bill would take effect April 1, 2009.

SUPPORTERS SAY: HB 3166 would continue the process of recodifying the statutes governing various local special districts, such as hospital districts, development and improvement districts, and conservation and reclamation districts, into the Special District Local Laws Code. These laws are now scattered throughout the statutes, so collecting them in one code would make the law more accessible, understandable, and usable. The bill would reorganize the statutes as part of the continuing recodification process conducted by the Texas Legislative Council and would not make any substantive change.

OPPONENTS SAY: No apparent opposition.

NOTES: The companion bill, SB 1134 by Brimer, has been referred to the Senate Administration Committee.