

## **BILL ANALYSIS**

Senate Research Center

H.B. 3634  
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5/7/2001  
Engrossed

### **DIGEST AND PURPOSE**

Recent developments in the north side of the City of Houston have created concerns about public safety and economic decline in the area. Municipal management districts have been used in other parts of the city and around the state to promote and coordinate economic growth and public welfare. H.B. 3634 creates the Greater Northside Management District in the City of Houston.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 376, Local Government Code, by adding Subchapter K, as follows:

#### **SUBCHAPTER K. GREATER NORTHSIDE MANAGEMENT DISTRICT**

Sec. 376.451. CREATION OF DISTRICT. Creates the Greater Northside Management District (district) as a special district under Section 59, Article XVI, Texas Constitution. Authorizes the board by resolution to change the district's name.

Sec. 376.452. DECLARATION OF INTENT. Provides the declaration of intent.

Sec. 376.453. DEFINITIONS. Defines “board,” “county,” “district,” “municipality,” and “utility.”

Sec. 376.454. BOUNDARIES. Sets forth the boundaries of the district.

Sec. 376.455. FINDINGS RELATING TO BOUNDARIES. Provides findings relating to boundaries.

Sec. 376.456. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. Provides findings of benefit and purpose.

Sec. 376.457. APPLICATION OF OTHER LAW. Provides that, except as otherwise provided by this subchapter, Chapter 375 applies to the district.

Sec. 376.458. CONSTRUCTION OF SUBCHAPTER. Requires this subchapter to be liberally construed in conformity with the findings and purposes stated in this subchapter.

Sec. 376.459. BOARD OF DIRECTORS IN GENERAL. Sets forth guidelines regarding the board of directors.

Sec. 376.460. APPOINTMENT OF DIRECTORS; VACANCY. Sets forth guidelines

regarding the appointment of directors and vacancies on the board.

Sec. 376.461. **POWERS OF DISTRICT.** Sets forth guidelines regarding the powers, rights, privileges, authority, and functions of the district.

Sec. 376.462. **EMINENT DOMAIN.** Prohibits the district from exercising the power of eminent domain.

Sec. 376.463. **EXPENSES AND LIABILITY FOR CERTAIN ACTIONS AFFECTING PROPERTY.** Requires the district, if the district, in exercising a power conferred by this subchapter, requires a relocation, adjustment, raising, lowering, rerouting, or changing of the grade or the construction of certain items, to take that required action at the sole expense of the district. Requires the district to bear damages that are suffered by owners of the facility or other property.

Sec. 376.464. **RELATION TO OTHER LAW.** Provides that, if any provision of general law, including a law referenced in this subchapter, is in conflict with or is inconsistent with this subchapter, this subchapter prevails. Provides that any law referenced in this subchapter that is not in conflict or inconsistent with this subchapter is adopted and incorporated by reference.

Sec. 376.465. **REQUIREMENTS FOR FINANCING SERVICES AND IMPROVEMENTS.** Sets forth requirements for financing services and improvement projects.

Sec. 376.466. **NONPROFIT CORPORATION.** Sets forth guidelines regarding the creation of a nonprofit corporation to assist and act on behalf of the district in implementing a project or providing a service authorized by this subchapter.

Sec. 376.467. **DISBURSEMENTS OR TRANSFERS OF FUNDS.** Requires the board by resolution to establish the number of directors' signatures and the procedure required for a disbursement or transfer of the district's money.

Sec. 376.468. **BONDS.** Sets forth guidelines regarding the issuance of bonds or other obligations by the district.

Sec. 376.469. **ASSESSMENTS.** Sets forth guidelines regarding the imposition and collection of assessments by the district.

Sec. 376.470. **PROPERTY EXEMPTED FROM TAX, FEE, OR ASSESSMENT.** Prohibits the district from imposing a tax, impact fee, or assessment on a residential property, multiunit residential property, or condominium. Prohibits the district from imposing an impact fee or assessment on the property, equipment, or facilities of a utility.

Sec. 376.471. **ELECTIONS.** Requires the district, in addition to the elections the district is required to hold under Chapter 375L, to hold an election in the manner provided by that subchapter to obtain voter approval before the district imposes a maintenance tax or issues bonds payable from ad valorem taxes or assessments. Authorizes the board to submit multiple purposes in a single proposition at an election.

Sec. 376.472. **IMPACT FEES.** Authorizes the district to impose an impact fee for an authorized purpose as provided by Subchapter G, Chapter 375.

Sec. 376.473. **MAINTENANCE TAX.** Authorizes the district, if authorized at an election held in accordance with Section 376.471, to impose and collect an annual ad valorem tax on taxable property in the district for the maintenance and operation of the district and the improvements constructed or acquired by the district or for the provision of services. Requires

the board to determine the tax rate.

Sec. 376.474. DISSOLUTION OF DISTRICT. Sets forth guidelines regarding the dissolution of the district.

Sec. 376.475. CONTRACTS. Sets forth guidelines regarding the district entering into certain contracts for certain purposes.

Sec. 376.476. INITIAL DIRECTORS. Sets forth guidelines regarding the composition of the initial board of directors, and their terms.

SECTION 2. Presents legislative findings.

SECTION 3. Effective date: upon passage or September 1, 2001.