

BILL ANALYSIS

Senate Research Center
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S.B. 1772
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Intergovernmental Relations
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As Filed

DIGEST AND PURPOSE

The 75th Legislature established the East Montgomery County Improvement District. As proposed, S.B. 1772 makes changes to the provisions concerning the administration, powers, and indebtedness of the district.

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 Section 4, Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997, to provide that the East Montgomery County Improvement District (district) does not include any portion of the New Caney Independent School District, as it existed on January 1, 2001, located in Harris County.

SECTION 2. Amends Section 11, Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997, to require the directors, after they have been selected and have qualified, to organize or reorganize by electing certain officers of the board.

SECTION 3. Amends Section 16, Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997, by amending Subsection (b) and adding Subsection (e), as follows:

(b) Authorizes the district to contract with off-duty peace officers to provide public safety and security services in connection with a special event, holiday, period with high traffic congestion, or similar circumstance, and at district facilities and property.

(e) Authorizes the board to employ and establish the terms of employment and compensation of an executive director or general manager or any officer the board considers necessary.

SECTION 4. Amends Section 21(d), Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997, to redefine “taxable items.”

SECTION 5. Amends Section 22(a), Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997, to prohibit the board from calling an election to abolish a sales and use tax or to reduce the rate of the sales and use tax below the amount pledged to secure payment of any outstanding district debt while any district debt remains outstanding.

SECTION 6. Amends Section 23, Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997, by adding Subsection (d) to entitle the district to examine and receive information related to the imposition and collection of sales and use taxes to the same extent as if the district were a municipality to which Section 321.3022 (Tax Information), Tax Code, applies.

SECTION 7. Amends Section 25, Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997, to authorize the district to impose the sales and use tax under this Act in certain increments, with a maximum tax of two, rather than one, percent. Stipulates that the district is only authorized to impose a sales and use tax greater than one percent if the voters within the district approve the change in the rate under Section 22 of this Act.

SECTION 8. Amends Section 30A, Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997, by adding Subsection (d), to provide that to the extent consistent with the documents authorizing the issuance of the district's bonds, the proceeds of bonds remaining after the payment of the cost of issuing the bonds and all costs associated with the projects for which the bonds were sold may be spent by the district for any lawful purpose or for any project the district is authorized to undertake.

SECTION 9. Repealer: Section 33 (Dissolution By Petition of Owners), Chapter 1316, Acts of the 75th Legislature, Regular Session, 1997.

SECTION 10. Sets forth legislative findings regarding the property to be excluded from the district.

SECTION 11. Sets forth legislative findings regarding procedural requirements to enact this bill.

SECTION 12. Effective date: September 1, 2001.