

BILL ANALYSIS

Senate Research Center

S.B. 1823
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DIGEST AND PURPOSE

Currently, the newly created Hays County Development District No.1 (district) is preparing to address the issue of financing for the district. As proposed, S.B. 1823 approves the creation of the district; sets forth guidelines regarding the district, and grants the district certain powers, including imposing ad valorem taxes subject to voter approval.

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. LEGISLATIVE FINDINGS. Presents legislative findings relating to the creation of Hays County Development District No. 1 ("district") and the project approved by the Hays County Commissioners Court on January 11, 2000 ("project").

SECTION 2. APPROVAL OF CREATION. Provides that the creation of the district by the Hays County Commissioners Court on January 11, 2000, and that all actions heretofore taken with regard to the district are hereby approved.

SECTION 3. FINDINGS RELATED TO BOUNDARIES. Provides findings related to boundaries.

SECTION 4. FINDING OF BENEFIT. Provides findings of benefit.

SECTION 5. POWERS. Sets forth guidelines regarding the rights, powers, privileges, authority, functions, and duties of the district.

SECTION 6. LIBERAL CONSTRUCTION. Requires this Act to be liberally construed in conformity with the legislative findings and purposes set forth therein. Provides that this Act prevails over any provision of general law that is in conflict or inconsistent with this Act.

SECTION 7. ADMINISTRATIVE PROVISIONS. Requires the district to continue to operate as a county development district and, subject to the provisions hereinafter set forth, comply with Chapter 383C, Government Code. Sets forth guidelines regarding directors of the district; vacancies on the board; the designation and establishment of district offices outside Hays County; and an election to determine whether the board of directors of the district will be selected by popular election, rather than being selected by appointment by the commissioners court. Requires a certified copy of the minute order declaring the results of the election to be sent to the commissioners court.

SECTION 8. Provides that the legislature finds that the principal function of the district is to provide for development and operation of the project to facilitate economic development and to attract visitors and tourists which result in employment and economic activity in Hays County. Provides that the legislature finds that the district is authorized to perform certain functions. Provides that the district is a

district described in Section 49.181(h)(4) (regarding Authority of Commission Over Issuance of District Bonds), Water Code, as amended.

SECTION 9. ADDITION AND EXCLUSION OF LANDS Authorizes the district, in addition to the authority granted to the district by Section 383.084 (Adding and Excluding Land From the District), Local Government Code, to add lands in the manner provided by Section 49.301 (Adding Land by Petition of Landowner), Water Code, as amended, and to exclude lands in the methods provided by Sections 49.303 (Excluding Land From District) through 49.308 (Suit to Review Exclusion), Water Code, as amended.

SECTION 10. DISSOLUTION OF DISTRICT BY PETITION OF TAXPAYERS. Sets forth guidelines regarding the dissolution of the district set forth in Sections 383.122 and 383.123, Local Government Code, as amended.

SECTION 11. FINDINGS RELATING TO PROCEDURAL REQUIREMENTS. Sets forth findings relating to procedural requirements.

SECTION 12. EFFECTIVE DATE. Effective date: upon passage or August 28, 2001.