

BILL ANALYSIS

Senate Research Center

H.B. 2938
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Agriculture, Water & Rural Affairs
7/26/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Sienna Plantation Levee Improvement District (Sienna LID) of Fort Bend County would like to make significant improvements to a recreational facility in its jurisdiction. Sienna LID would also like to fund the project through issuing parks and recreational facility bonds. In order to do so, certain statutory changes bracketed to Sienna LID are required.

H.B. 2938 defines Sienna LID as a conservation and reclamation district.

H.B. 2938 increases the cap on bonds supported by ad valorem taxes that may be issued by Sienna LID from one percent of the taxable property in the district to two percent.

The committee substitute for H.B. 2938 removes language from the bill that would have exempted Sienna LID from the Texas Commission on Environmental Quality's approval process for bonds. (Original Author's / Sponsor's Statement of Intent)

H.B. 2938 amends current law relating to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas.

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 Sections 1 and 8, Chapter 986, Acts of the 78th Legislature, Regular Session, 2003, as follows:

Sec. 1. AUTHORITY. Provides that the Sienna Plantation Levee Improvement District of Fort Bend County, Texas (Sienna LID), is a conservation and reclamation district created under the authority of Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), and Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III (Legislative Department), Texas Constitution, and provides that it is granted certain authority.

Sec. 8. BONDS. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Prohibits the outstanding principal amount of bonds, notes, and other obligations issued to finance parks and recreational facilities supported by ad valorem taxation from exceeding an amount equal to two percent of the taxable property in Sienna LID.

(c) Prohibits the outstanding principal balance of bonds, notes, and other obligations to finance parks and recreational facilities supported by ad valorem taxation authorized by an election held before January 1, 2017, notwithstanding

Subsection (b), from exceeding an amount equal to one percent of the taxable property in Sienna LID unless a majority of the voters voting in an election held for that purpose after the effective date of the Act enacting this subsection approve a proposition authorizing the issuance of additional bonds, notes, or other obligations to finance parks and recreational facilities supported by ad valorem taxation in a total outstanding principal balance not to exceed two percent of the taxable property in Sienna LID.

SECTION 2. (a) Provides that the legislature validates and confirms all acts and proceedings of the board of directors of the Sienna LID that were taken before the effective date of this Act.

(b) Provides that Subsection (a) does not apply to any matter that on the effective date of this Act is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court or has been held invalid by a final judgment of a court.

SECTION 3. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2017.