Senate Research Center

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H.B. 3001

By: Morrison (Birdwell)

Intergovernmental Relations

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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 84th session, the legislature passed H.B. 1378, which required political subdivisions to annually compile certain information regarding debt obligations and make it available to the public by either posting it on their own website or reporting it to the comptroller of public accounts of the State of Texas (comptroller) in the form and manner prescribed by the agency. S.B. 625 from the 85th session required the comptroller to create a special purpose district public information database that contains the financial and tax data related to certain special purpose districts, including the debt obligation information required to be reported under H.B. 1378 (84R). Certain local entities that both meet the definition of a "political subdivision" under H.B. 1378 (84R) and the requirements to be considered a special purpose district under S.B. 625 (85R) have to submit their debt obligation information to the comptroller twice in the same reporting year through two separate reporting streams.

H.B. 1378 also provided a reporting exception for water districts by allowing them to submit to the comptroller the various financial documents described under Chapter 49 of the Water Code in lieu of posting or reporting the debt information. These financial reports are often submitted in a format that is generally not compliant with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973.

H.B. 3001 excludes certain special purpose districts from having to report to the comptroller under H.B. 1378 (84R) if they are also required to report under S.B. 625 (85R). The legislation also expands the reporting methods for water districts that continue to report under H.B. 1378. These new methods help the comptroller comply with federal and state web accessibility standards.

H.B. 3001 amends current law relating to the fiscal transparency of special purpose districts and other political subdivisions.

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 403.0241(c) and (e), Government Code, as follows:

(c) Requires the database, for each special purpose district described by Subsection (b), to include:

(1)–(7) makes no changes to these subdivisions;

(8) the financial information described by Section 140.008(b) or (g), Local Government Code, including any revenue obligations, rather than the information the special purpose district is required to report under Section 140.008(b) or (g), Local Government Code, including any revenue obligations; and

(9)–(12) makes no changes to these subdivisions:

(e) Requires the comptroller of public accounts of the State of Texas (comptroller), to the extent information required in the database is otherwise collected or maintained by a state agency or special purpose district, to require the state agency or special purpose district to provide that information and updates to the information as necessary for inclusion in the database in the form and manner prescribed by the comptroller. Authorizes the comptroller, if the required information is posted separately on an Internet website that the state agency, comptroller, or special purpose district maintains or causes to be maintained, to include in the database a direct link to, or a clear statement describing the location of, the separately posted information instead of or in addition to reproducing the information in the database.

SECTION 2. Amends Section 140.008(a)(2), Local Government Code, to redefine "political subdivision."

SECTION 3. Amends Section 140.008, Local Government Code, by amending Subsections (d), (g), and (h) and adding Subsection (i), as follows:

(d) Requires the comptroller to post the information provided by the political subdivision and any other information the comptroller considers relevant or necessary on the comptroller's Internet website.

(g) Provides that, notwithstanding any other provision of this section, a district, as defined by Section 49.001, Water Code, satisfies the requirements of this section if, on an annual basis, the district:

(1) makes no changes to this subdivision; and

(2) either:

(A) submits the financial documents described by Subchapter G, Chapter 49, Water Code, to the comptroller in the form and manner prescribed by the comptroller; or

(B) takes action to ensure that the financial documents described by Subchapter G (Audit of Districts), Chapter 49, Water Code, are made available at a regular office of the district for inspection by any person and, if the district maintains an Internet website, are posted continuously for public viewing on the district's Internet website.

(h) Requires the comptroller to post the documents submitted to the comptroller under Subsection (g) and any other information the comptroller considers relevant or necessary on the comptroller's Internet website, to the extent that the documents as submitted to the comptroller are in a form that facilitates compliance with applicable technical accessibility standards and specifications established in the electronic and information resources accessibility policy adopted by the comptroller under other law.

(i) Authorizes the comptroller, if information required to be posted by the comptroller under this section is posted separately on an Internet website that a state agency, the comptroller, or a political subdivision, including a district as defined by Section 49.001 (Definitions), Water Code, maintains or causes to be maintained, to post on the comptroller's Internet website a direct link to, or a clear statement describing the location of, the separately posted information instead of or in addition to reproducing the required information on the comptroller's website.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2019.