

BILL ANALYSIS

C.S.H.B. 4156
By: Reynolds
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Certain land within the municipal boundaries of Missouri City in Fort Bend County is undeveloped. Interested parties suggest that the land would benefit from the creation of a municipal management district to promote residential and commercial development and to provide infrastructure and supplemental services. C.S.H.B. 4156 seeks to provide for the creation of the district.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4156 amends the Special District Local Laws Code to create the Missouri City Management District No. 2 to provide certain improvements, projects, and services for public use and benefit. The bill provides for, among other provisions, the annexation of district land and approval by the City of Missouri City of certain district actions. The district's powers and duties include, subject to certain requirements, the authorization to issue obligations and impose assessments and property, operation and maintenance, and contract taxes. The district is prohibited from exercising the power of eminent domain.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4156 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3932 to read as follows:	SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3932 to read as follows:

CHAPTER 3932. MISSOURI CITY
MANAGEMENT DISTRICT NO. 2
SUBCHAPTER A. GENERAL
PROVISIONS
Sec. 3932.001. DEFINITIONS.

Sec. 3932.002. NATURE OF DISTRICT.

Sec. 3932.003. PURPOSE;
DECLARATION OF INTENT.

Sec. 3932.004. FINDINGS OF BENEFIT
AND PUBLIC PURPOSE.

Sec. 3932.005. INITIAL DISTRICT
TERRITORY.

Sec. 3932.006. ELIGIBILITY FOR
INCLUSION IN SPECIAL ZONES.

Sec. 3932.007. APPLICABILITY OF
MUNICIPAL MANAGEMENT
DISTRICTS LAW.

Sec. 3932.008. CONSTRUCTION OF
CHAPTER.

SUBCHAPTER B. BOARD OF
DIRECTORS

Sec. 3932.051. GOVERNING BODY;
TERMS. (a) The district is governed by a
board of ~~five~~ voting directors who serve
staggered terms of four years, with ~~two or
three~~ directors' terms expiring June 1 of
each odd-numbered year.
(b) The board by resolution may change the
number of voting directors on the board if
the board determines that the change is in
the best interest of the district. The board
may not consist of fewer than 5 or more
than 11 voting directors.

Sec. 3932.052. APPOINTMENT OF
VOTING DIRECTORS.

Sec. 3932.053. NONVOTING
DIRECTORS.

Sec. 3932.054. QUORUM.

Sec. 3932.055. COMPENSATION.

Sec. 3932.056. INITIAL VOTING
DIRECTORS. (a) The initial board
consists of the following voting directors:

CHAPTER 3932. MISSOURI CITY
MANAGEMENT DISTRICT NO. 2
SUBCHAPTER A. GENERAL
PROVISIONS
Sec. 3932.001. DEFINITIONS.

Sec. 3932.002. NATURE OF DISTRICT.

Sec. 3932.003. PURPOSE;
DECLARATION OF INTENT.

Sec. 3932.004. FINDINGS OF BENEFIT
AND PUBLIC PURPOSE.

Sec. 3932.005. INITIAL DISTRICT
TERRITORY.

Sec. 3932.006. ELIGIBILITY FOR
INCLUSION IN SPECIAL ZONES.

Sec. 3932.007. APPLICABILITY OF
MUNICIPAL MANAGEMENT
DISTRICTS LAW.

Sec. 3932.008. CONSTRUCTION OF
CHAPTER.

SUBCHAPTER B. BOARD OF
DIRECTORS

Sec. 3932.051. GOVERNING BODY;
TERMS. (a) The district is governed by a
board of ~~seven~~ voting directors who serve
staggered terms of four years, with ~~three or
four~~ directors' terms expiring June 1 of each
odd-numbered year.
(b) The board by resolution may change the
number of voting directors on the board if
the board determines that the change is in
the best interest of the district. The board
may not consist of fewer than 5 or more
than 11 voting directors.

Sec. 3932.052. APPOINTMENT OF
VOTING DIRECTORS.

Sec. 3932.053. NONVOTING
DIRECTORS.

Sec. 3932.054. QUORUM.

Sec. 3932.055. COMPENSATION.

Sec. 3932.056. INITIAL VOTING
DIRECTORS. (a) The initial board
consists of the following voting directors:

Pos. No. Name of Director

1	
2	
3	
4	
5	

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2017, and the terms of directors appointed for positions four and five expire June 1, 2019.
(c) Section 3932.052 does not apply to this section.

SUBCHAPTER C. POWERS AND DUTIES
Sec. 3932.101. GENERAL POWERS AND DUTIES.

Sec. 3932.102. IMPROVEMENT PROJECTS AND SERVICES.

Sec. 3932.103. DEVELOPMENT CORPORATION POWERS.

Sec. 3932.104. NONPROFIT CORPORATION

Sec. 3932.105. AGREEMENTS; GRANTS.

Sec. 3932.106. LAW ENFORCEMENT SERVICES.

Sec. 3932.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

Sec. 3932.108. PARKING FACILITIES.

Sec. 3932.109. ANNEXATION OF LAND.

Sec. 3932.110. APPROVAL BY CITY.

Sec. 3932.111. CONSENT OF CITY REQUIRED.

Sec. 3932.112. NO EMINENT DOMAIN POWER.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS;

Pos. No. Name of Director

1	John A. Van De Wiele
2	Jim Brown
3	Jack McDonald
4	Charles L. Howell, Jr.
5	Larry Pullen
6	Steven Perez
7	Rodney Griffin

(b) Of the initial directors, the terms of directors appointed for positions one through four expire June 1, 2019, and the terms of directors appointed for positions five through seven expire June 1, 2017.
(c) Section 3932.052 does not apply to this section.

SUBCHAPTER C. POWERS AND DUTIES
Sec. 3932.101. GENERAL POWERS AND DUTIES.

Sec. 3932.102. IMPROVEMENT PROJECTS AND SERVICES.

Sec. 3932.103. DEVELOPMENT CORPORATION POWERS.

Sec. 3932.104. NONPROFIT CORPORATION.

Sec. 3932.105. AGREEMENTS; GRANTS.

Sec. 3932.106. LAW ENFORCEMENT SERVICES.

Sec. 3932.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

Sec. 3932.108. PARKING FACILITIES.

Sec. 3932.109. ANNEXATION OF LAND.

Sec. 3932.110. APPROVAL BY CITY.

Sec. 3932.111. CONSENT OF CITY REQUIRED.

Sec. 3932.112. NO EMINENT DOMAIN POWER.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS;

ASSESSMENTS
Sec. 3932.151. DISBURSEMENTS AND
TRANSFERS OF MONEY.

Sec. 3932.152. MONEY USED FOR
IMPROVEMENTS OR SERVICES.

Sec. 3932.153. PETITION REQUIRED
FOR FINANCING SERVICES AND
IMPROVEMENTS WITH
ASSESSMENTS.

Sec. 3932.154. ASSESSMENTS; LIENS
FOR ASSESSMENTS.

SUBCHAPTER E. TAXES AND BONDS
Sec. 3932.201. ELECTIONS
REGARDING TAXES AND BONDS.

Sec. 3932.202. OPERATION AND
MAINTENANCE TAX.

Sec. 3932.203. CONTRACT TAXES.

Sec. 3932.204. AUTHORITY TO
BORROW MONEY AND TO ISSUE
BONDS AND OTHER OBLIGATIONS.

Sec. 3932.205. TAXES FOR BONDS.

Sec. 3932.206. CITY NOT REQUIRED
TO PAY DISTRICT OBLIGATIONS.

SECTION 2. Establishes boundaries for the
Missouri City Management District No. 2.

SECTION 3. (a) The legal notice of the
intention to introduce this Act, setting forth
the general substance of this Act, has been
published as provided by law, and the notice
and a copy of this Act have been furnished
to all persons, agencies, officials, or entities
to which they are required to be furnished
under Section 59, Article XVI, Texas
Constitution, and Chapter 313, Government
Code.
(b) The governor, one of the required
recipients, has submitted the notice and Act
to the Texas Commission on Environmental
Quality.
(c) The Texas Commission on
Environmental Quality has filed its

ASSESSMENTS
Sec. 3932.151. DISBURSEMENTS AND
TRANSFERS OF MONEY.

Sec. 3932.152. MONEY USED FOR
IMPROVEMENTS OR SERVICES.

Sec. 3932.153. PETITION REQUIRED
FOR FINANCING SERVICES AND
IMPROVEMENTS WITH
ASSESSMENTS.

Sec. 3932.154. ASSESSMENTS; LIENS
FOR ASSESSMENTS.

SUBCHAPTER E. TAXES AND BONDS
Sec. 3932.201. ELECTIONS
REGARDING TAXES AND BONDS.

Sec. 3932.202. OPERATION AND
MAINTENANCE TAX.

Sec. 3932.203. CONTRACT TAXES.

Sec. 3932.204. AUTHORITY TO
BORROW MONEY AND TO ISSUE
BONDS AND OTHER OBLIGATIONS.

Sec. 3932.205. TAXES FOR BONDS.

Sec. 3932.206. CITY NOT REQUIRED
TO PAY DISTRICT OBLIGATIONS.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 4. Same as introduced version.