

BILL ANALYSIS

C.S.H.B. 4186
By: Smith
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that municipal management districts are created and exist for a variety of purposes, such as to encourage and fund development of raw land in specified areas, provide maintenance and supplemental service work such as landscaping, offer safety and security services and patrols, and market commercial property within district boundaries. These parties assert the need for a new municipal management district in a certain area of Harris County to facilitate the development of raw land and to finance roads, water, sanitary sewer, drainage and detention project costs and maintenance after the improvements are completed. C.S.H.B. 4186 seeks to address this need.

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. 4186 amends the Special District Local Laws Code to create the East Lake Houston Management District to provide certain improvements, projects, and services for public use and benefit to supplement, not supplant, services provided by the City of Houston in the district. The bill provides for, among other provisions, restrictions on the use of real property in the district, exercise of additional district powers with the consent of the governing body of the City of Houston, and dissolution of the district by the City of Houston. The district's powers and duties include, subject to certain requirements, the authorization to issue obligations, to establish storm water and nonpotable water user charges, and to impose assessments, property and sales and use taxes, user and concession fees, and rental charges. 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. 4186 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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended.

SECTION 2. Establishes boundaries for the East Lake Houston Management.

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

(d) The general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with.

(e) 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.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Establishes different boundaries for the East Lake Houston Management District.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.