

## **BILL ANALYSIS**

C.S.S.B. 1014  
By: Creighton  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note the need to make certain changes to the enabling legislation of The Woodlands Township, including the addition of provisions relating to the incorporation of the township. C.S.S.B. 1014 seeks to make these changes.

### **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.S.B. 1014 amends Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, to remove the requirement that the Texas Commission on Environmental Quality, if the number of directors on The Woodlands Township board for any reason is less than four and the requisite petition is filed, appoint the required number of qualified individuals to fill the board vacancies. The bill excludes the governing body of a development zone created in the township without a duration or date of termination from the list of entities that may dissolve the development zone. The bill provides for the incorporation of township territory, including provisions regarding certain transfers and transfer of the authority to issue obligations and impose taxes to the incorporated municipality. The bill establishes the purposes to which proceeds from the township's hotel occupancy tax are required to be applied if at least 99 percent of the territory of the district is incorporated and the district is dissolved.

C.S.S.B. 1014 amends the Special District Local Laws Code to provide for the dissolution of the township on incorporation and to establish the applicability of certain laws to the incorporated municipality.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

### **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**

While C.S.S.B. 1014 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

SENATE ENGROSSED

SECTION 1. Section 8(e), Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, is amended.

No equivalent provision.

SECTION 2. Section 11C(p), Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, is amended.

SECTION 3. Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, is amended by adding Section 14A.

SECTION 4. Subtitle X, Title 6, Special District Local Laws Code, is amended by adding Chapter 11011.

SECTION 5. (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

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as engrossed version.

SECTION 2. Section 11B, Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993, is amended by adding Subsection (b) to read as follows:

(b) Notwithstanding Subsection (a) of this section, if at least 99 percent of the territory of the district is incorporated and the district is dissolved in the manner provided by Section 14A of this Act, the district or municipality shall apply the proceeds from a hotel occupancy tax imposed under Section 11A of this Act:

(1) for the purposes described by Section 351.101, Tax Code; or

(2) as may otherwise be required in connection with the district's debt and other obligations existing before the incorporation to which the proceeds from a hotel occupancy tax imposed under Section 11A of this Act have been pledged.

SECTION 3. Same as engrossed version.

SECTION 4. Same as engrossed version.

SECTION 5. Same as engrossed version.

SECTION 6. Same as engrossed version.

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 6. 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, 2017.

SECTION 7. Same as engrossed version.