

## **BILL ANALYSIS**

Senate Research Center

H.B. 3172  
By: Thompson (Van de Putte)  
Intergovernmental Relations  
5/10/2001  
Committee Report (Amended)

### **DIGEST AND PURPOSE**

Currently, municipalities have the statutory authority to create public improvement districts that make assessments for roads, drainage, and improvements. Many counties are experiencing high growth in unincorporated areas where residents could benefit from public improvement districts. H.B. 3172 gives counties the authority to create public improvement districts in the same manner as municipalities.

### **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 the heading to Chapter 372, Local Government Code, to read as follows:

#### CHAPTER 372. IMPROVEMENT DISTRICTS IN MUNICIPALITIES AND COUNTIES

SECTION 2. Amends Section 372.002, Local Government Code, as follows:

Sec. 372.002. Authorizes powers granted under this subchapter to be exercised by a municipality or county in which the governing body of the municipality or county initiates or receives a petition requesting the establishment of a public improvement district.

SECTION 3. Amends Section 372.003, Local Government Code, to make conforming changes and to authorize a county to establish a public improvement district unless, within 30 days of a county's action to approve such a district, a home rule municipality objects to its establishment within the municipality's corporate limits or extraterritorial jurisdiction.

SECTION 4. Amends Section 372.005(a), Local Government Code, to make conforming changes.

SECTION 5. Amends Section 372.006, Local Government Code, to make conforming changes.

SECTION 6. Amends Section 372.007(a), Local Government Code, to authorize, before holding the hearing required by Section 372.009, the governing body of the municipality to use the services of municipal employees, the governing body of the county to use the services of county employees, or the governing body of the municipality or county to employ consultants to prepare a report to determine whether an improvement should be made as proposed by petition or otherwise or whether the improvement should be made in combination with other improvements authorized under this subchapter.

SECTION 7. Amends Section 372.008(a), Local Government Code, to make a conforming change.

SECTION 8. Amends Sections 372.009(a)-(c), Local Government Code, to make conforming changes.

SECTION 9. Amends Section 372.010, Local Government Code, to make conforming changes.

SECTION 10. Amends Section 372.012, Local Government Code, to make a conforming change.

SECTION 11. Amends Section 372.013(a), Local Government Code, to make a conforming change.

SECTION 12. Amends Section 372.014(a) and (b), Local Government Code, to require an assessment plan to provide that at least 10 percent of the cost of an improvement district be paid by special assessments against property in the improvement district. Requires the assessment plan to be included in the annual service plan. Makes conforming changes.

SECTION 13. Amends Sections 372.015(a) and (c), Local Government Code, to make conforming changes.

SECTION 14. Amends Sections 372.016(a) and (b), Local Government Code, as follows:

(a) Makes conforming changes.

(b) Requires the governing body to file the proposed assessment roll with the municipal secretary or other officer performing the functions of the municipal secretary or in a district formed by a county, the county tax assessor-collector. Makes conforming changes.

SECTION 15. Amends Section 372.017, Local Government Code, to make conforming changes. Requires the governing body, after all objections have been heard and the governing body has passed on the objections, by ordinance or order to levy the assessment as a special assessment on the property.

SECTION 16. Amends Section 372.018, Local Government Code, to make conforming changes. Requires delinquent installments of the assessment to incur interest, penalties, and attorneys' fees in the same manner as delinquent ad valorem taxes.

SECTION 17. Amends Section 372.019, Local Government Code, to make a conforming change.

SECTION 18. Amends Section 372.020, Local Government Code, to make a conforming change.

SECTION 19. Amends Section 372.021, Local Government Code, to make conforming changes.

SECTION 20. Amends Section 372.022, Local Government Code, to make conforming changes.

SECTION 21. Amends Sections 372.023(b), (d), and (e), Local Government Code, to make conforming changes.

SECTION 22. Amends Section 372.025, Local Government Code, to make a conforming change.

SECTION 23. Amends Sections 372.026(a), (b), and (c), Local Government Code, to make conforming changes.

SECTION 24. Amends Sections 372.027(a) and (b), Local Government Code, to make conforming changes.

SECTION 25. Effective date: upon passage or September 1, 2001.