

## **BILL ANALYSIS**

Senate Research Center

S.B. 1716  
By: Van de Putte  
Intergovernmental Relations  
4/18/2001  
Committee Report (Amended)

### **DIGEST AND PURPOSE**

Under current law, counties are not included in the definition of public improvement districts. S.B. 1716 authorizes counties to create and participate in public improvement districts that confer a special benefit on a definable part of the county.

### **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, to authorize 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(a), Local Government Code, to make conforming changes.

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 certain report.

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, Local Government Code, to delete text requiring an

assessment plan to provide that at least 10% of the cost of an improvement be paid by special assessments against property in the improvement district. 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, to require the governing body to file the proposed assessment roll with, 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 require the governing body of the municipality or county, after all objections have been heard and the governing body has passed on the objections, to levy the assessment as a special assessment on the property by ordinance or order. Makes conforming changes.

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 conforming changes.

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.

### **SUMMARY OF COMMITTEE CHANGES**

Amends As Filed S.B. 1716 as follows:

SECTIONS 1- 11. No change.

SECTION 12. Amends Section 372.014, Local Government Code, to delete text requiring an assessment plan to provide that at least 10% of the cost of an improvement be paid by special assessments against property in the improvement district.

SECTIONS 13 - 15. No change.

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

SECTIONS 17 - 25. No change.