

BILL ANALYSIS

Senate Research Center

H.B. 3550
By: Bailey (Gallegos)
Intergovernmental Relations
5/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

A significant number of residential property owners within the boundaries of the Aldine Community Improvement District are currently using outdated septic systems, contributing to the contamination of shallow ground water wells and creating a public health hazard. The enacting clause of the district, Chapter 3817, Special District Local Law Code, prevents the district from financing infrastructure for waste water collection and treatment.

H.B. 3550 authorizes the Aldine Community Improvement District to use the powers of a municipal utility district so the district may construct the infrastructure it needs to make improvements to the waste water systems within the district.

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 3817, Special District Local Laws Code, to read as follows:

CHAPTER 3817. ALDINE IMPROVEMENT DISTRICT

SECTION 2. Amends Section 3817.001(2), Special District Local Laws Code, to redefine "district."

SECTION 3. Amends Section 3817.002, Special District Local Laws Code, to read as follows:

Sec. 3817.002. New heading: ALDINE IMPROVEMENT DISTRICT. Makes a conforming change.

SECTION 4. Amends Section 3817.052, Special District Local Laws Code, to require the commissioners court of Harris County to appoint the directors of the board (board) of the Aldine Improvement District (district). Sets forth requirements for the appointment of directors. Deletes existing text referring to the governing body of the municipality.

SECTION 5. Amends Subchapter D, Chapter 3817, Special District Local Laws Code, by adding Section 3817.1545, as follows:

Sec. 3817.1545. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) Prohibits the board from financing a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) Requires the petition to be signed by certain individuals.

SECTION 6. Amends Subchapter D, Chapter 3817, Special District Local Laws Code, by adding Sections 3817.159 and 3817.160, as follows:

Sec. 3817.159. POWERS OF MUNICIPAL UTILITY DISTRICT; DEFINED AREA; TAXES; BONDS. Prohibits the district from exercising the powers of eminent domain. Requires the district to have certain powers of a municipal utility district.

Sec. 3817.160. TAX INCREMENT ZONE POWERS. Authorizes the district, upon the consent of the governing body of the City of Houston (city), to be included and participate in a reinvestment zone under Chapter 311 (Tax Increment Financing Act), Tax Code.

SECTION 7. Amends Section 3817.105(a), Special District Local Laws Code, to require the district, except as provided by Subsection (b), to obtain by either official action of the governing body of the city or through the issuance of a permit the district for certain improvement projects, the approval of the City of Houston, rather than the Houston's governing body, on certain matters.

SECTION 8. Effective date: upon passage or September 1, 2005.