

BILL ANALYSIS

Senate Research Center
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By: Madla
S/C on Base Realignment and Closure
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Texas law provides for the creation of municipal management districts to include areas within the corporate limits of a municipality. Since the passage of the Defense Base Closure and Realignment Act, areas in and around former bases have faced considerable challenges. For municipalities planning to annex these areas, the creation of a defense adjustment management corporation with the ability to develop infrastructure and other projects will advance the economic development of the area and provide a better transition to annexation.

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 Section 375.304(a), Local Government Code, to authorize the governing body of a municipality to create a defense adjustment management authority (authority) in an area that is a base efficiency project as defined by Section 379B.001 (Definitions), rather than Section 378.001 (Definition), as added by Chapter 1221, Acts of the 76th Legislature, Regular Session, 1999. Deletes existing text referring to a municipality that has been annexed for limited purposes by the municipality under Subchapter F (Limited Annexation), Chapter 43.

SECTION 2. Amends Section 375.305(b), Local Government Code, to make modifications to the required information to be stated on a notice required by Subsection (a) (pertaining to the notice of the hearing on the creation of the authority).

SECTION 3. Amends Section 375.306(e), Local Government Code, to provide that, the presiding officer of an authority is an exception to the rule that directors are appointed for terms of two years.

SECTION 4. Amends Subchapter O, Chapter 375, Local Government Code, by adding Section 375.3085 as follows:

Sec. 375.3085. ANNEXATION OR DISANNEXATION. (a) Authorizes the board of directors of a district (board) to vote to annex or disannex territory to an authority.

(b) Requires the board to hold two public hearings to consider the annexation or disannexation, not earlier than the 60th or later than the 30th day before the date the board votes on the annexation or disannexation. Requires the board to publish notice of each public hearing in a newspaper of general circulation in the area of the proposed annexed or disannexed territory at least seven days before each public hearing.

(c) Sets forth certain requirements for the notice.

(d) Requires the board to submit the action to the governing body of the municipality for approval if the board approves the proposed annexation or disannexation. Provides that the annexation or disannexation takes effect on the date the governing body of the municipality approves the annexation or disannexation by ordinance.

(e) Provides that Section 375.043 (Annexation) does not apply to the authority.

SECTION 5. Amends Section 375.310, Local Government Code, as follows:

Sec. 375.310. New heading: AUTHORITY PLAN. Deletes text referring to an authority master plan. Makes conforming changes.

SECTION 6. Amends Section 375.312(a), Local Government Code, to delete text referring to an authority created under this subchapter having certain powers in an area of the authority that is in the boundaries of the municipality's limited purpose jurisdiction. Provides that the authority regains the power in an area if the municipality disannexes the area.

SECTION 7. Makes application of Section 375.3085, Local Government Code, as added by this Act, prospective.

SECTION 8. Makes application of Section 375.310, Local Government Code, as amended by this Act, prospective.

SECTION 9. Effective date: upon passage or September 1, 2005.