

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 4113
By: Cohen, Coleman (Ellis)
Intergovernmental Relations
5/18/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Buffalo Bayou Management District (district) was created by the 78th Legislature.

C.S.H.B. 4113 amends the boundaries of the district, the composition of the district's board of directors, and the powers of 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 Section 4, Chapter 997, Acts of the 78th Legislature, Regular Session, 2003, to set forth the boundaries of the Buffalo Bayou Management District (district).

SECTION 2. Amends Sections 3820.051(a) and (b), Special District Local Laws Code, as follows:

(a) Provides that the district is governed by a board of nine, rather than 31, voting directors appointed under Section 3820.052 (Appointment of Directors), Special District Local Laws Code, and nonvoting directors as provided by Section 3820.053 (Nonvoting Directors), Special District Local Laws Code, except as provided by Subsection (c).

(b) Provides that voting directors serve staggered terms of four years, with the terms of four or five directors, rather than 15 or 16 directors, expiring June 1 of each odd-numbered year.

SECTION 3. Amends Section 3820.055, Special District Local Laws Code, as follows:

Sec. 3820.055. New heading: BOARD. (a) Sets forth the composition of the board to make conforming changes.

(b) Provides that the terms of directors appointed for positions one through five expire June 1, 2009, and the terms of directors appointed for positions six through nine expire June 1, 2011. Deletes existing text providing for the expiration of the terms of initial directors.

(b-1) Provides that the terms of each membership position on the board as the term exists immediately preceding the effective date of the Act adding this subsection expires on that effective date. Provides that, on that date, a new board is appointed as provided by Subsection (a) to serve terms as provided by Subsection (b).

(c) Makes no changes to this subsection.

(d) Provides that this section expires September 1, 2011, rather than September 1, 2007.

SECTION 4. Amends Section 3820.105, Special District Local Laws Code, to provide that Section 375.221 (Competitive Bidding on Certain Public Works Contracts), Local Government Code, applies to the district only for a contract that has a value greater than \$25,000, rather than \$15,000.

SECTION 5 Amends Subchapter D, Chapter 3820, Special District Local Laws Code, by adding Section 3820.160, as follows:

Sec. 3820.160. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT. Provides that Section 375.161 (Certain Residential Property Exempt), Local Government Code, does not apply to the district.

SECTION 6. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 7. Effective date: upon passage or September 1, 2007.