

BILL ANALYSIS

Senate Research Center

H.B. 4795
By: Allen (Ellis)
Intergovernmental Relations
5/21/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill validates and confirms all governmental acts and proceedings of the Harris County Improvement District No. 10 (district No. 10) and the Harris County Improvement District No. 10B (district No. 10B) that were taken before the effective date of this bill in relation to the creation of district No. 10B from land inside district No. 10.

This bill also changes the name of district No. 10B to Five Corners Improvement District (district), and specifies that a reference in law to district No. 10B means the district. The bill describes land to be included in the district and sets forth findings relating to introduction of the bill.

H.B. 4795 amends current law relating to territory included in and the validation of acts of, district No. 10 and district No. 10B, and changes the name of district No. 10B.

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. (a) Provides that the legislature validates and confirms all governmental acts and proceedings of the Harris County Improvement District No. 10 (district No. 10) and the Harris County Improvement District No. 10B (district No. 10B) that were taken before the effective date of this Act in relation to the creation of district No. 10B from land inside district No. 10. Prohibits the acts and proceedings from being held invalid because they were not in accordance with Chapter 3860 (Harris County Improvement District No. 10), Special District Local Laws Code, or other law.

(b) Provides that this section does not apply to any matter that on the effective date of this Act is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment, or has been held invalid by a final court judgment.

SECTION 2. (a) Provides that the name of district No. 10B is changed to Five Corners Improvement District.

(b) Provides that a reference in law to district No. 10B means the Five Corners Improvement District.

SECTION 3. Sets forth the initial boundaries of the Five Corners Improvement District.

SECTION 4. Provides that certain tracts of land are removed from the boundaries of the Five Corners Improvement District.

SECTION 5. Provides that the legislature finds that:

(1) proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the

governor, who has submitted the notice and Act to the Texas Commission on Environmental Quality (TCEQ);

(2) TCEQ has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time;

(3) the general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with; and

(4) all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 6. Effective date: upon passage or September 1, 2009.