

BILL ANALYSIS

Senate Research Center

H.B. 3859
By: Laubenberg (Deuell)
Intergovernmental Relations
5/20/2011
Committee Report (Amended)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that there is a need to provide improvement projects and services that confer a special benefit on certain property in the City of Heath in Kaufman and Rockwall Counties and to pay for such projects and services by levying special assessments. H.B. 3859 seeks to address this issue by establishing provisions relating to the creation of the Club Municipal Management District No. 1 and providing authority to levy an assessment and issue bonds.

H.B. 3859 amends current law relating to the creation of the Club Municipal Management District No.1 and provides authority to levy an assessment and issue bonds.

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 Subtitle C, Title 4, Special District Local Laws Code, by adding Chapter 3902, as follows:

CHAPTER 3902. CLUB MUNICIPAL MANAGEMENT DISTRICT NO. 1

Sets forth standard language for the creation of the Club Municipal Management District No. 1 (district) in the City of Heath (city). Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3902.001-3902.050);

Size, composition, appointment, compensation, and terms of the board of directors of the district, including the naming of the initial directors (Sections 3902.051-3902.100);

Powers and duties of the district (Sections 3902.101-3902.250);

General financial provisions and authority to levy an assessment and issue bonds and obligations for the district (Sections 3902.251-3902.300); and

Dissolution of the district by the city (Sections 3902.301-3902.304).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that 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 are fulfilled and accomplished.

SECTION 4. Effective date: September 1, 2011.

SUMMARY OF COMMITTEE CHANGES

(1) Adds the following appropriately numbered SECTION to the bill and renumbers subsequent SECTIONS of the bill accordingly:

Sec. _____. NO TOLL ROADS. Prohibits the district from constructing, acquiring, maintaining, or operating a toll road.