

BILL ANALYSIS

Senate Research Center
82R9973 NAJ-D

S.B. 1911
By: Zaffirini
Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A special district is needed to finance and construct the utility infrastructure necessary to promote the development of the area within the district and to provide services to the property in the district. This bill creates the Webb County Municipal Management District (district) as a political subdivision of the state to administer and provide funding for improvement projects and services in the district, which is located within the extraterritorial jurisdiction of the City of Laredo, Webb County.

As proposed, S.B. 1911 amends current law relating to the creation of the Webb County Municipal Management District with the authority to impose a tax, 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 3909.

CHAPTER 3909. WEBB COUNTY MUNICIPAL MANAGEMENT DISTRICT

Sets forth standard language for the creation of the Webb County Municipal Management District (district) in Webb County. Sets forth standards, procedures, requirements, and criteria for:

Definitions; nature of district; purpose; findings; district territory; eligibility for inclusion in special zones; and applicability of municipal management districts laws (Sections 3909.001-3909.050);

Size, qualifications, and compensation for the board of directors (Sections 3909.051-3909-100);

Powers and duties of the district (Sections 3909.101-3909.150);

Public parking facilities (Sections 3909.151-3909.200);

Division of district; law applicable to new district; limitation on area of new district; division procedures; election for division of district; election of directors of new districts; and contract authority of new districts (Sections 3909.201-3909.250);

General financial provisions, disbursements and transfers of money; money used for improvements or services; petition required for financing services and improvements with assessments; method of notice for hearing; assessments; liens for assessment; utility property exempt from impact fees and assessments;

residential property not exempt; operation and maintenance tax; contract taxes; authority to borrow money and to issue bonds and other obligations; taxes for bonds; elections regarding certain taxes and bonds; competitive bidding; tax and assessment abatements (Sections 3909.208-3909.300);

Defined areas; authority to establish defined area or designated property; procedure for election; declaring result and issuing order; taxes for improvement and facilities in defined area or designated property; and issuance of bonds for defined area or designated property (Sections 3909.301-3909.351);

Sales and use tax; meanings of words and phrases; applicability of certain tax code provisions; authorization election, abolishing sales and use tax; and sales and use tax rate (Sections 3909.351-3909.400); and

Dissolution of district by the city (Sections 3909.401-3909.403).

Prohibits the district from exercising annexation power and the power of eminent domain.

SECTION 2. Requires the commissioners court of Webb County and the governing body of the most populous city in Webb County, not later than the 60th day after the effective date of this Act, to appoint the directors to the board of the Webb County Municipal Management District, as provided by Section 3909.051, Special District Local Laws Code, as added by this Act.

SECTION 3. (a) Provides that the 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 under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) Provides that the governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality (TCEQ).

(c) Provides that 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.

(d) Provides that 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.

(e) 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 have been fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2011.