

BILL ANALYSIS

Senate Research Center
84R23472 SGA-F

H.B. 4202
By: Schofield (Kolkhorst)
Administration
5/25/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that Harris County Water Control Improvement District No. 157 was created by order of the Texas Commission on Environmental Quality to provide regional drainage and storm water detention facilities and services and recreational facilities to the land within its boundaries. It is further noted that the district includes over 3,000 acres of land and shares a boundary with Harris County Water Control Improvement District No. 159. H.B. 4202 seeks to facilitate boundary adjustments of Harris County Water Control Improvement District No. 157 along its common boundary with Harris County Water Control Improvement District No. 159.

H.B. 4202 amends the Special District Local Laws Code to establish that the Harris County Water Control and Improvement District No. 157 is created to serve a public purpose and to accomplish the purposes of a water control and improvement district as provided by general law and the state constitution. The bill authorizes land within the district boundaries subject to taxation that does not need or utilize the services of the district to be excluded and authorizes other land not within the boundaries of the district to be included within the boundaries of the district without impairment of the security for payment of the bonds or invalidation of any prior bond election, as provided by the bill's provisions and certain Water Code provisions relating to adding and excluding territory of a municipal utility district. The bill authorizes such inclusion and exclusion after the district is organized and has obtained voter approval for the issuance of, or has sold, bonds payable wholly or partly from property taxes. The bill requires its provisions to be construed to supplement and not to supplant the provisions of general law applicable to the exclusion of land from the district or the inclusion of land within the district.

H.B. 4202 amends current law relating to the substitution of land within the boundaries of the Harris County Water Control and Improvement District No. 157 after the approval or issuance of district bonds payable wholly or partly from taxes.

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 I, Title 6, Special District Local Laws Code, by adding Chapter 9068, as follows:

CHAPTER 9068. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 157

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9068.001. DEFINITION. Defines, in this chapter, "district" to mean the Harris County Water Control and Improvement District No. 157 (district).

Sec. 9068.002. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) Provides that the district is created to serve a public purpose and benefit.

(b) Provides that the district is created to accomplish the purposes of a water control and improvement district as provided by general law and Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution.

SUBCHAPTER B. SUBSTITUTION OF LAND

Sec. 9068.051. SUBSTITUTING LAND OF AT LEAST EQUAL VALUE. Provides that land within the district boundaries subject to taxation that does not need or utilize the services of the district, after the district is organized and has obtained voter approval for the issuance of, or has sold, bonds payable wholly or partly from ad valorem taxes, may be excluded and other land not within the boundaries of the district may be included within the boundaries of the district without impairment of the security for payment of the bonds or invalidation of any prior bond election, as provided by this section and Sections 54.740 (Requisites for Application for Exclusion) through 54.747 (Service to Included Land), Water Code.

Sec. 9068.052. CONSTRUCTION OF SUBCHAPTER. Requires that this subchapter be construed to supplement and not to supplant the provisions of general law applicable to the exclusion of land from the district or the inclusion of land within the district.

SECTION 2. 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 3. Effective date: upon passage or September 1, 2015.