

BILL ANALYSIS

Senate Research Center
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H.B. 1709
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Bois D'Arc Island Levee Improvement District (district) was created by the 78th Legislature, which required it to have an elected board. No board was ever elected.

Any improvements or repair to the levee is under the jurisdiction of a defunct district. H.B. 1709 provides a method for dissolution of the district if a board is not elected at the next election or, if a board is elected, the members do not attend 50 percent of the scheduled meetings.

The district has not had a functional board for over a decade. It has not levied a tax in over a decade. There are no existing bonds. There are no existing liens on taxpayers in the district. The commissioners courts of both Dallas and Kaufman County support this legislation.

This legislation would take effect September 1, 2017.

H.B. 1709 amends current law relating to procedures for the dissolution of the Bois D'Arc Island Levee Improvement District of Dallas and Kaufman Counties.

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 Subchapter A, Chapter 7801, Special District Local Laws Code, by adding Section 7801.003, as follows:

Sec. 7801.003. DISSOLUTION OF DISTRICT. (a) Authorizes the commissioners courts of Dallas and Kaufman Counties (commissioners courts), not later than 18 months after the next regularly scheduled election of directors under Section 7801.051 (Board), to dissolve the Bois D'Arc Island Levee Improvement District of Dallas and Kaufman Counties (district) if, at that election, the appropriate number of directors under Section 7801.051(c) (relating to the election of an appropriate number of directors) are not elected, or the directors elected at that election fail to attend 50 percent of the board meetings scheduled during the 12 months following that election.

(b) Requires the commissioners courts, to dissolve the district under Subsection (a), to each issue an order dissolving the district. Requires the orders to provide for the sale or transfer of the district's assets and liabilities, administration of property, assets, and debts of the district until a certain time, and continued provision of the district's services without interruption to the extent the district has been providing services.

(c) Prohibits the dissolution of the district and the sale or transfer of the district's assets and liabilities from violating a trust indenture or bond resolution relating to the outstanding bonds of the district or from diminishing or impairing the rights of the holders of outstanding bonds, warrants, or other obligations of the district.

(d) Provides that this section expires January 1, 2020.

SECTION 2. Effective date: September 1, 2017.