

BILL ANALYSIS

Senate Research Center
86R7712 TSR-D

H.B. 4695
By: Deshotel (Creighton)
Texas Ports, Select
5/11/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4695 amends current law relating to the administration of the Port of Port Arthur Navigation District of Jefferson County, including the authority to impose 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 Section 11, Chapter 197, Acts of the 58th Legislature, Regular Session, 1963, as follows:

Sec. 11. Requires each commissioner to receive for performing duties as a commissioner compensation and benefits set by the Board of Port Commissioners plus actual traveling expenses. Requires the Board of Port Commissioners to set the compensation and benefits of certain personnel.

SECTION 2. Amends Section 23, Chapter 197, Acts of the 58th Legislature, Regular Session, 1963, as follows:

Sec. 23. Requires the Board of Port Commissioners to impose taxes necessary to pay the interest on the bonded debt and to create a sinking fund to retire the principal thereof, as well as a maintenance tax for said district within the limitations prescribed by this Act, rather than requiring the Commissioners Court of Jefferson County, Texas, to, upon requisition of the Board of Port Commissioners, levy taxes necessary to pay the interest on the bonded debt and to create a sinking fund to retire the principal thereof, as well as a maintenance tax for said district within the limitations prescribed by this Act. Requires the laws of the State of Texas for the imposition of taxes to apply, in all matters pertaining to the imposition of taxes and the duties of all officers in connection therewith, and such duties to be done and performed by the officers charged with imposing taxes, rather than requiring the laws of the State of Texas for assessing, levying and collecting of state and county taxes to apply, in all matters pertaining to the levying and assessing of taxes, the equalization thereof, and the collection of same, and the duties of all officers in connection therewith, and such duties to be done and performed by the officers charged with the collection of state and county taxes.

SECTION 3. (a) Provides that certain, specific actions of the Port of Port Arthur Navigation District are validated and confirmed in all respects as if the actions had been done as authorized by law.

(b) Prohibits a governmental act or proceeding of the district occurring after an act or proceeding validated by this Act from being held invalid on the ground that the prior act or proceeding, in the absence of this Act, was invalid.

(c) 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 judgment of a court of competent jurisdiction or has been held invalid by a final judgment of a court of competent jurisdiction.

SECTION 4. Provides that all requirements of the constitution and the 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 5. Effective date: upon passage or September 1, 2019.