

BILL ANALYSIS

C.S.H.B. 1800
By: Oliverson
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that the powers of the Harris County Improvement District No. 17 are too limited to adequately meet development needs. C.S.H.B. 1800 seeks to grant the district certain additional powers.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1800 amends the Special District Local Laws Code to authorize the Harris County Improvement District No. 17 to enforce a real property restriction in the manner provided by certain Water Code provisions if, in the reasonable judgment of the board, the enforcement of the restriction is necessary. The bill exempts the district from a certain limitation under the Water Code on the outstanding principal amount of bonds, notes, and other obligations issued for recreational facilities. The bill establishes that the district has the powers of a municipal utility district under Water Code provisions relating to services for certain defined areas and designated property, including the power to implement a plan, issue bonds, and impose a tax in a defined area established under those provisions, and authorizes the district to exercise these powers regardless of whether the district is composed of the minimum number of acres as provided by Water Code provisions relating to the authority to establish defined areas or designated property.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1800 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Subchapter C, Chapter 3891,	SECTION 1. Same as introduced version.

Special District Local Laws Code, is amended by adding Section 3891.109.

No equivalent provision.

SECTION 2. Subchapter D, Chapter 3891, Special District Local Laws Code, is amended by adding Section 3891.159.

SECTION 3. (a) 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) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality 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) 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) 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 2. Section 3891.153, Special District Local Laws Code, is amended to read as follows:

Sec. 3891.153. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS.

(a) The district may issue bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, sales and use taxes, assessments, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose.

(b) The limitation on the outstanding principal amount of bonds, notes, and other obligations provided by Section 49.4645, Water Code, does not apply to the district.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SECTION 5. Same as introduced version.