

BILL ANALYSIS

C.S.H.B. 2712
By: Hernandez
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that an area located within an unincorporated area in east Harris County would benefit from the creation of an improvement district. C.S.H.B. 2712 seeks to provide for the creation of such a district.

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. 2712 amends the Special District Local Laws Code to create the Channelview Improvement District to provide certain improvements, projects, and services for public use and benefit. The bill sets its provisions to expire September 1, 2023, if the creation of the district is not confirmed at a confirmation election held before such date.

C.S.H.B. 2712 provides for, among other provisions, the annexation or exclusion of district territory, district fees and charges, and dissolution of the district. The bill sets out the district's powers and duties, which include, subject to certain requirements, the authority to issue bonds and impose a sales and use tax. The bill prohibits the district from employing peace officers, engaging in firefighting activities, providing medical emergency services, exercising the power of eminent domain, and imposing a property tax.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2712 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute revises district director qualifications and terms, including providing for the election of all five directors rather than the election of two directors and the appointment of three directors and for the appointment of temporary directors.

The substitute does not include a provision relating to development corporation powers. The substitute includes a provision prohibiting the district from engaging in firefighting activities or providing medical emergency services.

The substitute revises certain details of the bill's district sales and use tax provisions, including changing the provisions that govern the imposition, computation, administration, enforcement, and collection of the tax from the Municipal Sales and Use Tax Act to the County Sales and Use Tax Act.

The substitute revises certain details of the bill's dissolution provisions, including providing for dissolution by petition.

The substitute includes a provision setting the bill's provisions to expire September 1, 2023, if the creation of the district is not confirmed at a confirmation election held before such date.