

BILL ANALYSIS

C.S.H.B. 3727
By: Swanson
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the limited online availability of important information regarding certain special districts. It has been suggested that information regarding elections and meetings of special districts needs to be readily available for the population of the district to ensure the most transparency possible. C.S.H.B. 3727 seeks to address this issue by providing for the online publication of certain information by all emergency services districts and municipal utility districts with a population of more than 100.

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. 3727 amends the Health and Safety Code and the Water Code to require an emergency services district and a municipal utility district, as applicable, with a population of more than 100 to annually provide to the comptroller of public accounts for inclusion in the Special Purpose District Public Information Database the following information:

- an indication of whether the district's commissioners or directors, as applicable, are appointed or elected;
- if the district's commissioners or directors are elected:
 - an indication of the month in which the district's regular elections take place;
 - instructions for becoming a candidate to be elected as a commissioner, including any relevant document filing deadlines; and
 - instructions for obtaining the results of district elections; and
- if the district's commissioners or directors are appointed, a description of the appointment process and the person or body that has appointing authority.

C.S.H.B. 3727 requires such a district to maintain a website or an Internet domain name that includes a form of the district's name and directs a user to the district's entry in the comptroller database. The bill requires the board of emergency services commissioners and the board of directors of a municipal utility district, as applicable, if the district maintains a website, to ensure the following information is posted on that website:

- a link to the district's entry in the database;
- the name and term for each commissioner or director, as applicable;
- the information required to be provided to the comptroller under the bill's provisions;
- the district's tax rate and budget; and
- meeting agendas and minutes.

The bill requires the boards to ensure that the respective district's information provided to the comptroller and the district's tax rate and budget are updated on the district's website at least 90 days before the date of an election held by the district. The bill requires a municipal utility district to provide a link to the website or domain name on the first page of each bill sent to a customer and in a prominent location on each electronic bill or receipt sent to a customer.

C.S.H.B. 3727 amends the Government Code to require the Special Purpose District Public Information Database to include certain standard information on all emergency services districts and municipal utility districts with a population of more than 100, and the following additional information for those districts:

- an indication of how a person may contact a specified person or address to obtain certain information relating to the district board members and meetings;
- the term of each board member; and
- the information provided to the comptroller by those districts under the bill's provisions.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3727 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 includes provisions requiring the inclusion of certain information on all emergency services districts and municipal utility districts with a population of more than 100 in the Special Purpose District Public Information Database. The substitute includes requirements for such districts to annually provide to the comptroller for inclusion in the database certain information relating to the appointment or election of the district's commissioners or directors, as applicable.

The substitute includes an option for such a district to maintain an Internet domain name that meets specified criteria as an alternative to maintaining a website and revises the information required to be posted on such a website, if maintained. The substitute does not include a deadline by which an applicable board is required to ensure that such information is posted on the district's website, but the substitute includes a deadline by which such a board is required to ensure that certain of that information is updated on the district's website.

The substitute includes a requirement for a municipal utility district to provide a link to the district's website or domain name on each bill or receipt sent to a customer.