

BILL ANALYSIS

H.B. 1004
By: Gates
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Some property owners have raised concerns that the current methods by which members of the board of directors of a municipal management district are chosen may be unfair and unrepresentative of the district as a whole. Successive management district boards are made by recommendation of the previous slate of directors and approved by the city council of the governing municipality. It has been suggested that this creates an unfair advantage for current members of the board of directors and makes it more difficult for small business owners to gain seats on the board. H.B. 1004 seeks to remedy this situation by requiring the directors of all general law municipal management districts to be elected by voters within the district's boundaries.

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

H.B. 1004 amends the Local Government Code to provide for the election of directors of a municipal management district created by Texas Commission on Environmental Quality (TCEQ) order by petition, other than those appointed as initial directors or to fill a vacancy, in accordance with specified Water Code provisions applicable to certain water districts. The bill requires directors of such a municipal management district to be elected beginning with the general election conducted in 2021 for terms beginning on or after January 1, 2022. The bill authorizes directors to be elected to serve successive terms.

H.B. 1004 makes municipal management district provisions providing for the recommendation and approval of persons to serve on a succeeding district board of directors applicable only to the appointment of directors of a district created by a special act of the legislature that provides for succeeding directors to be appointed. The bill requires a director of a district created by TCEQ order who is appointed under these provisions for a term beginning before January 1, 2022, to continue to serve until the expiration of the member's term.

EFFECTIVE DATE

September 1, 2021.