

BILL ANALYSIS

H.B. 4604
By: Dutton
Urban Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 84th Legislature created the Barrett Management District to provide for the financing, construction, and operation of a broad spectrum of high-quality infrastructure necessary to attract and support commercial development in the community of Barrett Station. However, the proposed board of directors did not want the authority to impose assessments without community buy-in. The Barrett Management District, in conjunction with the community and stakeholders, recently completed the Barrett Plan Study, which included a recommendation to allow the district the authority to impose and collect assessments. H.B. 4604 seeks to address this issue by allowing the Barrett Management District to impose an assessment.

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. 4604 amends the Special District Local Laws Code to authorize the board of directors of the Barrett Management District by resolution to impose and collect an assessment for any district purpose in all or any part of the district. An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

- are a first and prior lien against the property assessed;
- are superior to any other lien or claim other than a lien or claim for county, school district, or municipal property taxes; and
- are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

H.B. 4604 establishes that the lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The bill authorizes the board to enforce the lien in the same manner the board may enforce a property tax lien against real property. The bill authorizes the board to make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.