

## **BILL ANALYSIS**

H.B. 4614  
By: Thompson, Ed  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Brazoria Drainage District Number Four was originally created by an act of the Brazoria County Commissioners Court pursuant to the authority of certain Texas Constitution provisions and was subsequently granted the expanded powers of a conservation and reclamation district pursuant to other Texas Constitution provisions. This and other amendments to the district's governing provisions have inconsistently modified the district's authority to levy a maintenance tax. The district's board of commissioners is seeking an amendment to clarify the district's maintenance tax authority. H.B. 4614 seeks to provide this clarity by amending the district's governing provisions with regard to a maintenance tax.

### **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. 4614 amends Chapter 991, Acts of the 74th Legislature, Regular Session, 1995, to make the existing maintenance tax provisions of the Brazoria Drainage District Number Four applicable only to a maintenance tax levied and collected under the powers conferred by Texas Constitution provisions relating to conservation and reclamation districts.

H.B. 4614 authorizes the district to impose a maintenance tax under the powers conferred by Texas Constitution provisions relating to the lending of credit by political corporations or subdivisions for certain purposes as authorized by specified law. The bill exempts this maintenance tax from a statutory provision that does the following:

- requires the governing body of a drainage district to have a maintenance tax assessed and collected on district property sufficient to maintain, repair, and preserve district improvements and to pay legal debts, demands, and obligations of the district; and
- caps the maintenance tax in a district operating under such Texas Constitution provisions at an amount of one-half of one percent of the total assessed valuation of the district for that year.

H.B. 4614 establishes that the legislature validates and confirms all governmental acts and proceedings of the Brazoria Drainage District Number Four before the bill's effective date in imposing a maintenance tax.

**EFFECTIVE DATE**

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