

## **BILL ANALYSIS**

Senate Research Center

H.B. 2258  
By: Culberson (Lindsay)  
Natural Resources  
5-8-97  
Engrossed

### **DIGEST**

Currently, Chapter 53C, Water Code, provides for administrative provisions for fresh water supply districts. Special taxing units, such as improvement districts, can be created that may include portions of existing freshwater or other types of districts. H.B. 2258 would require notice to and approval of the residents of existing freshwater districts and other types of taxing units before a new tax can be imposed.

### **PURPOSE**

As proposed, H.B. 2258 sets forth provisions regarding the imposition of taxes or fees in certain water districts.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 53C, Water Code, by adding Section 53.089, as follows:

Sec. 53.089. APPROVAL OF CERTAIN ACTIONS. Requires a political subdivision that seeks to impose a tax or fee on a person living in any part of a freshwater supply district (district), not later than the 180th day before the date of imposition of the tax or fee, to inform the board of supervisors of the district (board), in writing, of the political subdivision's intention. Requires the board, on receipt of the notice, to conduct an election on the issue of whether the tax or fee may be imposed in the district. Requires the election to be conducted, in accordance with Chapter 41, Election Code, not later than the 10th day before the date of the imposition of the tax or fee. Requires the ballot proposition for an election to be printed to permit voting for or against the imposition of the tax or fee by the political subdivision in the specified part of the district. Authorizes all voters in the district to vote on the proposition. Provides that if a majority of voters voting at the election approve the proposition, the tax or fee may be imposed. Prohibits the political subdivision from imposing that tax or fee and from proposing to impose that tax or fee in the district until the second anniversary after the date of the election if a majority of voters voting at the election disapprove the proposition. Provides that the provisions of this section also apply to districts established or operating under this title.

SECTION 2. (a) Effective date: September 1, 1997. Makes application of this Act prospective.

(b) Provides that this Act applies only to a new tax or fee imposed by a political subdivision. Provides that this Act does not apply to the change in a tax or fee imposed by a political subdivision.

SECTION 3. Emergency clause.