

## **BILL ANALYSIS**

Senate Research Center

H.B. 2731  
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Intergovernmental Relations  
5-16-97  
Engrossed

### **DIGEST**

Currently, the area along U.S. 59 in Sugarland, Texas has been rapidly developing into a retail and commercial center. A security system is desired by some citizens to discourage criminal activity in this developing area. This bill creates a special district as a political subdivision to operate for the purposes of supplementing the city and county security services within the boundaries of the district.

### **PURPOSE**

As proposed, H.B. 2731 creates a special district as a political subdivision to operate for the purposes of supplementing the city and county security services within the boundaries of the district.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the board of the First Colony Management District in SECTION 1 (Sections 376.126 and 376.127, Local Government Code).

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 12A, Local Government Code, by adding Chapter 376, as follows:

#### CHAPTER 376. SPECIFIC MUNICIPAL MANAGEMENT DISTRICTS

##### SUBCHAPTER D. FIRST COLONY MANAGEMENT DISTRICT

Sec. 376.111. CREATION OF DISTRICT. Sets forth provisions for a special district to be known as the "First Colony Management District."

Sec. 376.112. DECLARATION OF INTENT. Sets forth provisions relating to the creation of the district.

Sec. 376.113. DEFINITIONS. Defines "board," "district," "municipality," and "county."

Sec. 376.114. BOUNDARIES. Sets forth the boundaries of the district.

Sec. 376.115. FINDINGS RELATING TO BOUNDARIES. Provides that the boundaries and field notes of the district form a closure. Provides that if a mistake is made in the field notes or in copying the field notes in the legislative process, the mistake does not in any way affect certain provisions.

Sec. 376.116. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. Sets forth provisions relating to measures that affect public use of and benefit of the district.

Sec. 376.117. APPLICATION OF OTHER LAW. Provides that Chapter 375 applies to the district, except as otherwise provided by this subchapter.

Sec. 376.118. CONSTRUCTION OF SUBCHAPTER. Requires this subchapter to be liberally construed in conformity with the findings and purposes stated in this subchapter.

Sec. 376.119. BOARD OF DIRECTORS IN GENERAL. Sets forth the provisions regarding the board of 13 directors of the district.

Sec. 376.120. APPOINTMENT AND REMOVAL OF DIRECTORS; VACANCY. Requires the mayor and members of the governing body of the municipality to appoint directors from persons recommended by the board. Sets forth provisions regarding vacancies of certain members of the board.

Sec. 376.121. NONVOTING MEMBERS OF BOARD OF DIRECTORS. Authorizes the board to appoint nonvoting members to serve on the board.

Sec. 376.122. POWERS OF DISTRICT. Sets forth the powers and duties of the district.

Sec. 376.123. EXPENSES AND LIABILITY FOR CERTAIN ACTIONS AFFECTING PROPERTY. Sets forth provisions relating to a district, if, in exercising its power, a district is required to take actions regarding the correction or repair certain items in the district.

Sec. 376.124. RELATION TO OTHER LAW. Sets forth provisions relating to other law.

Sec. 376.125. REQUIREMENTS FOR FINANCING SERVICES AND IMPROVEMENTS. Prohibits the board from financing services and improvement projects under this subchapter unless certain conditions apply.

Sec. 376.126. NONPROFIT CORPORATION. Authorizes the board, by resolution, to create a nonprofit corporation to assist and act on behalf of the district in implementing a project or providing a service authorized by this subchapter. Sets forth provisions relating to a nonprofit corporation.

Sec. 376.127. DISBURSEMENTS OR TRANSFERS OF FUNDS. Requires the board by resolution to establish the number of directors' signatures and the procedure required for a disbursement or transfer of the district's money.

Sec. 376.128. BONDS. Sets forth provisions relating to the issuance of bonds and other obligations by the district.

Sec. 376.129. ASSESSMENTS. Authorizes the board to impose and collect an assessment for any purpose authorized by this subchapter. Sets forth provisions relating to assessments, reassessments, or assessments resulting from an addition to or correction of the assessment roll by the district.

Sec. 376.130. APPROVAL OF CERTAIN IMPROVEMENT PROJECTS. Requires a district to obtain the municipality's approval of the plans and specifications of any district improvement project related to the use of land owned by the municipality, an easement granted by the municipality, or a right-of-way of a street, road, or highway.

Sec. 376.131. ELECTIONS. Sets forth provisions relating to tax or bond elections in the district.

Sec. 376.132. IMPACT FEES. Authorizes the district to impose an impact fee for an authorized purpose as provided by Chapter 375G.

Sec. 376.133. MAINTENANCE TAX. Sets forth provisions relating to tax rates.

Sec. 376.134. DISSOLUTION OF DISTRICT. Authorizes the district to be dissolved under certain conditions.

Sec. 376.135. CONTRACTS. Sets forth provisions authorizing the district to contract with a municipality or county.

Sec. 376.136. COMPETITIVE BIDDING. Authorizes the district to enter into a contract for more than \$50,000 for services, improvements, or the purchase of property, including materials, machinery, equipment, or supplies, only as provided by Chapter 375D.

Sec. 376.137. REINVESTMENT ZONES. Provides that the district is eligible to be included in a tax incremental reinvestment zone.

Sec. 376.138. INITIAL DIRECTORS. Provides that the initial board consists of certain persons. Sets forth terms of the initial directors. Provides that this section expires September 1, 2002.

SECTION 2. Sets forth findings of the legislature.

SECTION 3. Emergency clause.  
Effective date: upon passage.