

BILL ANALYSIS

Senate Research Center

H.B. 3579
By: Zbranek (Galloway)
Natural Resources
5-14-97
Engrossed

DIGEST

Currently, Cedar Bayou forms the western boundary of Chambers County. In order to improve and maintain the navigability of Cedar Bayou, dredging is required. This bill creates the Chambers County-Cedar Bayou Navigation District.

PURPOSE

As proposed, H.B. 3579 creates the Chambers County-Cedar Bayou Navigation District.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. CREATION; LEGISLATIVE DECLARATION. Sets forth provisions relating to the creation and legislative declaration of the Chambers County-Cedar Bayou Navigation District (district).

SECTION 2. DEFINITION. Defines "district."

SECTION 3. BOUNDARIES. Sets forth the boundaries of the district.

SECTION 4. FINDINGS RELATING TO BOUNDARIES. Provides that the legislature finds that the boundaries and field notes of the district form a closure. Provides that if mistakes are made in the field notes or in the copying the field notes in the legislative process, it does not affect the validity of the district in any way.

SECTION 5. BOARD OF DIRECTORS. Sets forth the five-member board of directors of the district and provisions relating to the board of directors.

SECTION 6. GENERAL POWERS. Sets forth the rights, powers, privileges, and authority of the district.

SECTION 7. TORT CLAIMS. Provides that the district is a unit of government for purposes of Chapter 101, Civil Practice and Remedies Code.

SECTION 8. ANNEXATION AND EXCLUSION OF TERRITORY BY THE DISTRICT. Authorizes the district to annex land to and exclude land from the district in the manner provided by Chapter 63, Water Code. Prohibits land from being annexed to the district unless the municipality in whose extraterritorial jurisdiction (as defined in Section 42.021, Local Government Code) the land lies consents to the annexation.

SECTION 9. MUNICIPAL ANNEXATION OF THE DISTRICT. Sets forth provisions relating to annexation by a district that has extraterritorial jurisdiction of a municipality.

SECTION 10. BONDS AND ASSESSMENTS. Sets forth provisions for the district to issue certain instruments, including bonds and assessments.

SECTION 11. IMPACT FEES. Authorizes the district to impose impact fees as provided by Chapter 375G, Local Government Code, for any authorized purpose.

SECTION 12. DISSOLUTION OF THE DISTRICT. Provides that the district may be dissolved as provided in either Section 375.261 or Section 375.262, Local Government Code.

SECTION 13. COMPETITIVE BIDDING. Requires the district to contract for services, improvements or the purchase of materials, machinery, equipment, supplies, and other property as provided by Section 375.221, Local Government Code.

SECTION 14. NOTICE AND CONSENT. Sets forth the findings of the legislature, including the proper and legal notice of provisions of this Act. Sets forth findings of the legislature with regard to the Texas Natural Resource Conservation Commission.

SECTION 15. Severability clause.

SECTION 16. Emergency clause.
Effective date: upon passage.