

BILL ANALYSIS

Senate Research Center

S.B. 1451
By: Nelson
Intergovernmental Relations
4-22-97
As Filed

DIGEST

Currently, once a county development district is established, land may be added or excluded from the district by order of the county commissioners court. Concern exists that this action may be done without any direct input by voters in the district or in an area proposed for attachment. This bill provides that if a commissioners court makes a finding to add territory to a county development district, it must conduct an election of voters residing in the district and in the territory proposed to be added.

PURPOSE

As proposed, S.B. 1451 provides that if a commissioners court makes a finding to add territory to a county development district, it must conduct an election of voters residing in the district and in the territory proposed to be added.

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 Section 312.638, Tax Code, by amending Subsection (b) and adding Subsections (c)-(e), to delete the requirement for the commissioners court to order adding or excluding certain land. Requires the court to enter an order excluding land, if the commissioners court makes a finding to exclude land from the county development district (district). Requires the commissioners court to call and hold an election for the purpose of adding land in the territory to be added to the district and an election in the existing territory of the district, if the commissioners court makes a finding to add land to the district. Requires elections to be held on the same date. Requires the commissioners court to set the date of the elections in accordance with Section 41.001, Election Code. Requires the commissioners court to order the expansion of the district only if a majority of the voters voting in each election approve the expansion of the district. Requires the ballots to be printed in a certain manner to provide for voting for or against the proposition.

SECTION 2. Emergency clause.
Effective date: upon passage.