

BILL ANALYSIS

Senate Research Center

S.B. 624
By: Harris
Intergovernmental Relations
3/10/1999
Committee Report (Amended)

DIGEST

H.B. 2335, 75th Legislature, made several changes in the operation of crime control and prevention districts; however, further changes are desired by crime control and prevention districts, including extending the district continuation renewal period to large cities; allowing the city council members to serve as directors of the district; clarifying administrative procedure laws; and providing a solution for a district that is not continued by voters. S.B. 624 would clarify existing law on crime control and prevention districts, and would establish alternatives for renewal elections.

PURPOSE

As proposed, S.B. 624 clarifies existing law on crime control and prevention districts, and establishes alternatives for renewal elections.

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 363C, Local Government Code, by adding Section 363.1015, as follows:

Sec. 363.1015. ALTERNATE FORMS OF APPOINTMENT: BOARD OF DIRECTORS. Authorizes the governing body of a municipality or county by resolution to appoint the governing body's membership as the board of directors of the crime control and prevention district (district). Authorizes the governing body of the municipality or county to create a board by having each member of the governing body appoint one director to the board, subject to confirmation by the governing body, in a district for which the board is not appointed under Subsection (a). Provides that a director appointed under Subsection (b) serves at the pleasure of the governing body of the municipality or county, and for a term concurrent with the term of the appointing member.

SECTION 2. Amends Section 363.155, Local Government Code, by adding Subsection (d), to provide that Subsection (c) does not apply to a district that contains only one municipality.

SECTION 3. Amends Section 363.206, Local Government Code, by adding Subsections (d) and (e), as follows:

(d) Provides that Subsection (b) does not apply to an expenditure related to or an obligation issued or incurred in connection with the financing of construction or equipping of police facilities. Authorizes funds received by a municipality or other political subdivision of the state from a district for the financing of construction or equipping of police facilities to be used by the municipality or other political subdivision to finance the construction or equipping of facilities described in Subsection (e), notwithstanding any law to the contrary.

(e) Defines "police facility."

SECTION 4. Amends Section 363.251(d), Local Government Code, to prohibit the board from holding a referendum under this subchapter earlier than the fourth, rather than fifth, anniversary of the date the district was created or earlier than the third anniversary of the date of the last continuation or dissolution referendum.

SECTION 5. Amends Chapter 363F, Local Government Code, by adding Section 363.2515, as follows:

Sec. 363.2515. CONTINUATION OF DISTRICT: CERTAIN POLITICAL SUBDIVISIONS. Authorizes the board or the commissioners court of the county or governing body of the municipality that created the district to specify the number of years for which a district should be continued. Authorizes a district to be continued under Subsection (a) only for five, 10, 15, or 20 years. Sets forth the required language for a ballot to permit voting for or against the district.

SECTION 6. Amends Section 363.260(a), Local Government Code, to provide that if less than a majority of the votes cast in a continuation referendum are for the continuation of a district or if a majority of the votes cast in a dissolution referendum are for dissolution of the district, the district is dissolved and ceases to operate on the earlier of the last day of the district's fiscal year; or the 180th day after the date that the continuation or dissolution referendum is held.

SECTION 7. (a) Repealer: Section 363.101(c), Local Government Code (Board of Directors).

(b) Repealer: Chapter 1248, Acts of the 75th Legislature, Regular Session, 1997 (Regarding membership on the governing body of a municipality or county; sets forth requirements for the board of directors of a crime control and prevention).

(c) Provides that to the extent of any conflict, this Act prevails over another Act of the 76th Legislature, Regular Session, 1999, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 8. Effective date: September 1, 1999.

SECTION 9. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 3.

Amends Section 363.206, Local Government Code, by adding Subsections (d) and (e), to provide that Subsection (b) does not apply to an expenditure related to or an obligation issued or incurred in connection with the financing of construction or equipping of police facilities. Authorizes funds received by a municipality or other political subdivision of the state from a district for the financing of construction or equipping of police facilities to be used by the municipality or other political subdivision to finance the construction or equipping of facilities described in Subsection (e), notwithstanding any law to the contrary. Defines "police facility." Redesignates existing SECTIONS 3-7 as SECTIONS 3-8.

SECTION 4.

Amends Section 363.251(d), Local Government Code, to prohibit the board from holding a referendum under this subchapter earlier than the fourth, rather than fifth, anniversary of the date the district was created or earlier than the third anniversary of the date of the last continuation or dissolution referendum. Redesignates existing SECTIONS 3-7 as SECTIONS 5-9.