

## **BILL ANALYSIS**

Senate Research Center  
78R11453 BDH-F

H.B. 3383  
By: Swinford (Estes)  
Natural Resources  
5/19/2003  
Engrossed

### **DIGEST AND PURPOSE**

In 2001, Chapter 60 was added to the Agriculture Code to permit the creation of agricultural development districts. Such districts provide incentives for the development of agricultural operations and facilities. Property owners, prospective purchasers, real estate professionals, title insurers, and other interested persons have raised concerns about locating and obtaining information about newly created districts, including district boundaries, assessments, functions, and other relevant information. H.B. 3383 requires an agricultural development district to file relevant information with the county clerk in the county in which the district is located and with the Texas Department of Agriculture.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 60.032, Agriculture Code, by adding Subsection (c), to provide that if the proposed Texas Agricultural Development District (district) contains not more than 25 registered voters, Section 41.001(a) (Uniform Election Dates), Election Code, does not apply to the election.

SECTION 2. Amends Section 60.063, Agriculture Code, by amending Subsection (a) and adding Subsections (d) and (e), as follows:

- (a) Makes a conforming and a nonsubstantive change.
- (d) Requires the board of directors of the district (board) to prescribe the form for notice under this section.
- (e) Provides that a seller is not required to give notice under this section if certain conditions apply.

SECTION 3. Amends Subchapter C, Chapter 60, Agriculture Code, by adding Section 60.0631, as follows:

Sec. 60.0631. FILING INFORMATION. (a) Requires a district to file certain items with the Texas Department of Agriculture (TDA) and the county clerk in each county in which all or part of the district is located.

- (b) Requires the information form filed by a district under this section to include certain information.
- (c) Requires the information form and map or plat required by this section to be signed by a majority of the members of the board and by each board officer before it is filed with TDA and each appropriate county clerk, and requires each amendment made to an information form, map, or plat to be signed by the members of the board and by each board officer.

(d) Requires the information form required by this section to be filed with each appropriate county clerk and TDA not later than 48 hours after the district is approved by an election under Section 60.032 and the election results are certified.

(e) Requires the district, not later than the seventh day after the date of any change in any information contained in the district information, map, or plat, to file with TDA and each appropriate county clerk an amendment to the information form, map, or plat that describes the change.

(f) Requires the board, if the district is dissolved, annexed, or consolidated, to file with TDA and each appropriate county clerk a statement of the effective date of the dissolution, annexation, or consolidation. Provides that a person who sells or conveys property within a dissolved district is not required to give notice under Section 60.063.

SECTION 4. Requires the board of each district, not later than September 30, 2003, to prescribe a form for notice to purchasers under Section 60.063, Agriculture Code, as amended by this Act.

SECTION 5. Requires a district, established on or before October 1, 2003, to, not later than October 3, 2003, file the information form described by Section 60.0631, Agriculture Code, as added by this Act.

SECTION 6. Effective date: September 1, 2003.