

BILL ANALYSIS

Senate Research Center
80R7745 TAD-F

H.B. 1127
By: Creighton (Nichols)
Natural Resources
5/1/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In the 78th Legislative Session, S.J.R. 30, and its enabling legislation, S.B. 624, authorized conservation and reclamation districts in certain counties to issue bonds for the creation of recreational facilities. The constitutional amendment, approved by the voters in 2003, included Montgomery County as one of those counties, but Montgomery County was not included in the enabling legislation. As a result, while Montgomery County is constitutionally permitted to issue such bonds, there is no statutory language supporting that right.

H.B. 1127 includes Montgomery County as a county whose conservation and reclamation districts are authorized to issue bonds for recreational facilities, with the exception of districts in certain areas.

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 49.4645, Water Code, by amending Subsection (a) and adding Subsection (f), as follows:

(a) Authorizes a conservation and reclamation district (district), all or part of which is located in Montgomery County, to issue bonds supported by ad valorem taxes to pay for the development and maintenance of recreational facilities only if the bonds are authorized by a majority vote of the qualified voters of the district voting in an election held for that purpose.

(f) Provides that this section does not apply to a district all or part of which is located in Montgomery County, and includes land within a planned community of at least 15,000 acres of land, of which a majority of the developed acreage is subject to restrictive covenants containing ad valorem assessments.

SECTION 2. (a) Provides that, if the qualified voters of a district to which Chapter 49 (Provisions Applicable to All Districts), Water Code, applies and all or part of which is located in Montgomery County authorized bonds supported by ad valorem taxes to pay for the development and maintenance of recreational facilities by the favorable vote of a majority voting in an election held for that purpose after September 13, 2003, but before the effective date of this Act, that bond authorization is valid and no further election is required to authorize those bonds, notwithstanding any other law.

(b) Provides that this section does not apply to a district described by Section 49.4645(f), Water Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2007.