

BILL ANALYSIS

Senate Research Center

S.B. 1369
By: West
Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, state law requires public improvement districts to be geographically contiguous. This bill allows public improvement districts to be established for tourism-related purposes in local communities, but does not require the assessed properties to be geographically contiguous. Secondly, this bill allows the cost recovery for the public improvement district to be assessed on the basis of the total sales at assessed properties.

As proposed, S.B. 1369 amends current law relating to the boundaries and financing of a public improvement district.

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 Subchapter A, Chapter 372, Local Government Code, by adding Section 372.0041, as follows:

Sec. 372.0041. PROPERTY WITHIN A PUBLIC IMPROVEMENT DISTRICT.
Authorizes a public improvement district to:

- (1) have a definable boundary encompassing contiguous properties; or
- (2) consist of noncontiguous properties that have a common land use or other common characteristics.

SECTION 2. Amends Section 372.005(a), Local Government Code, to require a petition for the establishment of a public improvement district to state certain information, including the boundaries of the proposed assessment district if composed of contiguous properties, and the common type, classification, use, or characteristics of properties to be included within the public improvement district if the district is to be composed of noncontiguous properties. Makes nonsubstantive changes.

SECTION 3. Amends Sections 372.009(b) and (c), Local Government Code, as follows:

(b) Authorizes that the hearing be adjourned from time to time until the governing body makes findings by resolution as to certain information, including the boundaries of the public improvement district if composed of contiguous properties, and the common type, classification, use, or characteristics of properties to be included within the public improvement district if the district is to be composed of noncontiguous properties. Makes nonsubstantive changes.

(c) Requires that the notice of the hearing state certain information, including the boundaries of the proposed assessment district if composed of contiguous properties, and the common type, classification, use, or characteristics of properties to be included within

the public improvement district if the district is to be composed of noncontiguous properties. Makes nonsubstantive changes.

SECTION 4. Amends Section 372.015(b), to authorize that the cost of an improvement be assessed contingent on certain criteria, including as a percentage of sales or receipts. Makes a nonsubstantive change.

SECTION 5. Amends Section 372.016(b), Local Government Code, to require that a notice of the governing body's intention consider the proposed assessments include certain information, including the boundaries of the assessment district if composed of contiguous properties, and the common type, classification, use, or characteristics of properties to be included within the public improvement district if the district is to be composed of noncontiguous properties. Makes nonsubstantive changes.

SECTION 6. Effective date: September 1, 2011.