

BILL ANALYSIS

Senate Research Center

H.B. 3860
By: Dutton (Whitmire)
Intergovernmental Relations
5/15/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note the development of Generation Park, a master-planned commercial development located within the extraterritorial jurisdiction of the City of Houston, and they contend that the size of the project will grow over time and that large businesses, such as FMC Technologies, Inc., plan to build and maintain headquarters there. The parties contend that the area would benefit from the creation of a management district to finance, construct, and operate a broad spectrum of high-quality infrastructure necessary to attract and support new businesses.

H.B. 3860 amends current law relating to the creation of the Generation Park Management District and required notice by municipal management districts of certain actions, provides authority to issue bonds, and provides authority to impose assessments, fees, or taxes.

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 Subtitle C, Title 4, Special District Local Laws Code, by adding Chapter 3916, as follows:

CHAPTER 3916. GENERATION PARK MANAGEMENT DISTRICT

Sets forth standard language for the creation of the Generation Park Management District (district) in Harris County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3916.001-3916.011);

Size, composition, election, and terms of the board of directors, including the appointment of temporary directors (Sections 3916.051-3916.053);

Powers and duties of the district (Sections 3916.101-3916.118);

Public transit system and parking facilities of the district (Sections 3916.151-3916.155);

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 3916.151-3916.214);

Defined areas of the district (Sections 3916.226-3916.230);

Sales and Use Tax for the district (Sections 3916.251-3916.257);

Hotel Occupancy Tax for the district (Sections 3916.301-3916.307); and

Dissolution and consolidation of the district (Sections 3916.351-3916.352).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that all requirements of the constitution and the laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. Amends Subchapter E, Chapter 375, Local Government Code, by adding Section 375.0923, as follows:

Sec. 375.0923. NOTICE TO LEGISLATOR OF DISTRICT ACTION. Prohibits a district from taking any action authorized under Sections 375.092(c) through (n) (relating to the specific powers of a management district created under this chapter (Municipal Management Districts in General)) unless the board first sends written notice describing the action to each state senator and state representative who represents a legislative district in which any part of the district is located.

SECTION 5. Provides that the change in law made by Section 375.0923, Local Government Code, as added by this Act, applies only to an action of a municipal management district taken on or after September 1, 2013.

SECTION 6. Effective date: upon passage or September 1, 2013.