

BILL ANALYSIS

Senate Research Center
83R8334 JSL-F

H.B. 3954
By: Stephenson (Hegar)
Administration
5/17/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill will serve to create a new management district in Fort Bend County to facilitate and support the development of a 274 acre parcel of land with district generated revenues through tax assessments and or an ad valorem tax on commercial property, that will reimburse certain infrastructure development costs for both underground and surface infrastructure related to the development. The parcel of land is currently undeveloped, and is located in an area in the northern portion of the City of Kendleton's extraterritorial jurisdiction.

The improvement district will provide a means of financing certain capital improvements, and also provide a maintenance stream of revenue for surface infrastructure, and also finance marketing and promotion of the commercial project, and security and safety services for the area once developed.

The project currently contemplates the development of an industrial complex to serve Kansas City Southern Railroad (KCS), and a myriad of mixed uses that may include residential, multi-family, office, retail, and other industrial usages. All the property is currently owned by several individuals and incorporated entities under the control of KCS.

The district will not have the power of eminent domain, or any other extraordinary powers.

H.B. 3954 amends current law relating to the creation of Kendleton Improvement District, 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 3928, as follows:

CHAPTER 3928. KENDLETON IMPROVEMENT DISTRICT

Sets forth standard language for the creation of the Kendleton Improvement District (district) in Fort Bend County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3928.001-3928.008);

Size, composition, election, and terms of the board of directors, including the appointment of temporary directors (Sections 3928.051-3928.056);

Powers and duties of the district (Sections 3928.101-3928.113);

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 3928.151-3928.206);

Defined areas of the district (Sections 3928.251-3928.255); and

Dissolution and municipal annexation of the district (Section 3928.301).

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