BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties have expressed the need for a municipal management district in the extraterritorial jurisdiction of the City of Burleson (city). C.S.H.B. 3603 seeks to address this issue by creating the Joshua Farms Municipal Management District No. 1 to provide certain improvement projects and services that confer a special benefit on property in the district and to pay for such projects and services by levying special assessments.

C.S.H.B. 3603 amends current law relating to the creation of the Joshua Farms Municipal Management District No. 1, grants a limited power of eminent domain, provides authority to issue bonds, and provides authority to impose assessments or fees.

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 3926, as follows:

CHAPTER 3926. JOSHUA FARMS MUNICIPAL MANAGEMENT DISTRICT NO. 1

Sets forth standard language for the creation of the Joshua Farms Municipal Management District No. 1 (district) in Johnson County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose and approval of the district (Sections 3926.001-3926.012);

Size, composition, appointment, compensation, and terms of the board of directors of the district, including the naming of the initial directors (Sections 3926.051-3926.054);

Powers and duties of the district (Sections 3926.101-3926.114, 3926.151-3926.156, and 3926.201-3926.205);

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 3926.251-3926.257); and

Dissolution of the district by the board or city (Sections 3926.301-3926.304).

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

SECTION 3. Provides that all requirements of the constitution and 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. (a) Provides that Section 3926.112, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) Provides that, if this Act does not receive a two-third vote of all the members elected to each house, Subchapter C, Chapter 3926, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 3926.112, as follows:

Sec. 3926.112. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(c) Provides that this section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c) (authorizing the legislature, on or before January 1, 2010, to enact a general, local, or special law granting the power of eminent domain to an entity only on a two-thirds vote of all the members elected to each house), Article 1, Texas Constitution.

SECTION 5. Effective date: September 1, 2015.