

## **BILL ANALYSIS**

Senate Research Center  
85R7745 SMT-F

S.B. 2248  
By: Creighton  
Intergovernmental Relations  
4/25/2017  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Harris County Improvement District No. 17 (district) is a management district created pursuant to Chapter 375, Local Government Code. The district was created in 2009, in the 81st Legislature, to facilitate the development of acreage outside of the City of Tomball into commercial developments. Ninety percent of the district was raw land at the time of creation. The businesses operating in the district at the time of creation were primarily oil field service-related businesses. When created, plans did contemplate that the district would also grow through annexation, and add territory that would be developed into single-family housing developments. Several such annexations have since been approved, with development ongoing.

S.B. 2248 enables the district to establish defined areas within the district, and set tax rates commensurate with the infrastructure burdens applicable to the defined areas.

S.B. 2248 also authorizes the district to adopt land use controls to be used primarily for the residential developments with the interest in maintaining consistent development standards for the residential developments.

Lastly, S.B. 2248 clarifies that the district has the authority to sell park bonds in an amount greater than one percent of the overall ad valorem value of the district.

Chapter 54, Water Code, provides these various authorizations. The various property owners and developers in the district support S.B. 2248. There are no known opponents.

As proposed, S.B. 2248 amends current law relating to the powers of the Harris County Improvement District No. 17.

### **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 C, Chapter 3891, Special District Local Laws Code, by adding Section 3891.109, as follows:

Sec. 3891.109. ENFORCEMENT OF REAL PROPERTY RESTRICTIONS. Authorizes the Harris County Improvement District No. 17 (district) to enforce a real property restriction in the manner provided by Section 54.237 (Enforcement of Real Property Restrictions), Water Code, if, in the reasonable judgment of the board, the enforcement of the restriction is necessary.

SECTION 2. Amends Subchapter D, Chapter 3891, Special District Local Laws Code, by adding Section 3891.159, as follows:

Sec. 3891.159. POWERS OF MUNICIPAL UTILITY DISTRICT TO ESTABLISH DEFINED AREAS AND DESIGNATED PROPERTY; TAXES; BONDS. (a) Provides that the district has the powers of a municipal utility district under Subchapter J (Services

for Certain Defined Areas and Designated Property), Chapter 54 (Municipal Utility Districts), Water Code, including the power to implement a plan, issue bonds, and impose a tax in a defined area established under that subchapter.

(b) Authorizes the district to exercise the powers described by Subsection (a) regardless of whether the district is composed of the minimum number of acres provided by Section 54.801 (Authority to Establish Defines Areas or Designated Property), Water Code.

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, 2017.