

BILL ANALYSIS

Senate Research Center
87R10611 MCF-F

S.B. 2144
By: Taylor
Local Government
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Continuing development and growth in Brazoria County has necessitated the financing and construction of additional infrastructure. Pursuant to Article XVI, Section 59, and Article III, Section 52, of the Texas Constitution, this bill seeks to create a municipal management district to facilitate the development and financing of certain infrastructure to support a 204-acre tract of land. S.B. 2144 amends the Special District Local Laws Code to create the Brazoria County Management District No. 2 to provide certain improvements, projects, and services for public use and benefit, including recreational facilities, road projects, and rail facilities. The bill provides for, among other provisions, the conveyance and approval of a road project, the addition to or exclusion of land from the district, disbursements and transfers of money, an alternative to a required audit, and the dissolution of the district by its board of directors. The bill sets out the district's powers and duties, which include, subject to certain requirements and municipal and voter consent, as applicable, the authority to issue obligations and impose assessments and property, operation and maintenance, sales and use, and hotel occupancy taxes. The bill prohibits the district from exercising the power of eminent domain.

S.B. 2144 is identical to H.B. 4612.

As proposed, S.B. 2144 amends current law relating to the creation of the Brazoria County Management District No. 2, provides authority to issue bonds, and provides authority to impose assessments, fees, and 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 3945, as follows:

CHAPTER 3945. BRAZORIA COUNTY MANAGEMENT DISTRICT NO. 2

Sets forth standard language for the creation of Brazoria County Management District No. 2 (district) in Brazoria County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of and public purpose for the district (Sections 3945.0101-3945.0109);

Size, composition, appointment, and compensation and reimbursement of expenses for the board of directors, including composition of the initial district (Sections 3945.0201-3945.0204);

Powers and duties of the district (Sections 3945.0301-3945.0316);

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 3945.0401-3945.0707); and

Dissolution of the district by the board (Section 3945.0901).

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 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, 2021.