

BILL ANALYSIS

C.S.H.B. 4113
By: Cohen
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The 78th Legislature created the Buffalo Bayou Management District.

The proposed complete committee substitute for House Bill No. 4113 amends the boundaries of the district--the size of, and persons serving on--the Board of Directors and the powers of the Buffalo Bayou Management District.

RULEMAKING AUTHORITY

It is the opinion of the committee that the bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION-BY-SECTION ANALYSIS

SECTION 1. Amends the geographical boundaries of the Buffalo Bayou Management District.

SECTION 2. Amends the composition for the board of directors by changing the number of Board members to 9.

SECTION 3. Appoints a new board of directors for the Buffalo Bayou Management District and provides for the expiration of the terms for the board of directors.

SECTION 4. Amends Section 3820.105, Special District Local Laws Code, and provides that Section 375.221, Local Government Code, applies to the Buffalo Bayou Management District only for a contract that has a value greater than \$25,000.

SECTION 5. Provides that the Buffalo Bayou Management District board may not finance a service or improvement project through an assessment under this Act unless a written petition requesting that service or improvement has been filed with the board.

The petition must be signed by:

(1) the owners of a majority of the assessed value of real property in the district that will be subject to the assessment according to the most recent certified tax appraisal roll for the county in which the property is located; or

(2) at least 50 land owners in the district that will be subject to the assessment, if more than 50 persons own land in the district that will be subject to the assessment according to the most recent certified tax appraisal roll for the county in which the property is located.

SECTION 6. Provides that Section 375.161, Local Government Code, does not apply to the Buffalo Bayou Management District.

SECTION 7. LEGISLATIVE FINDINGS. Sets forth legislative findings regarding the fulfillment of procedural requirements with respect to the notice, introduction, and passage of this Act.

SECTION 8. EFFECTIVE DATE. Provides that the effective date will be upon passage or September 1, 2007.

EFFECTIVE DATE

This Act would take effect upon passage if it receives a two-thirds majority vote in each house of the Legislature or on the default date of September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

SECTION 1. Revises boundaries from the filed version of House Bill No. 4113.

SECTION 2. Revises number of directors serving on the board from 11 to 9.

SECTION 3. Fills in specific names of members of the board of directors, whereas the original bill contained blanks.

SECTION 4. Identical to original bill.

SECTION 5. Identical to original bill.

SECTION 6. Identical to original bill.

SECTION 7. Identical to original bill.

SECTION 8. Identical to original bill.