

1-1 By: Hinojosa S.B. No. 1950  
 1-2 (In the Senate - Filed March 13, 2015; March 25, 2015, read  
 1-3 first time and referred to Committee on Business and Commerce;  
 1-4 April 29, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 29, 2015,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1950 By: Watson

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the fee imposed on certain property owners by a county  
 1-22 for the establishment of street lights along a county road.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 280.003, Transportation Code, is amended  
 1-25 by amending Subsection (b) and adding Subsections (d), (e), and (f)  
 1-26 to read as follows:

1-27 (b) The commissioners court of a the county may by order  
 1-28 provide for the establishment of street lights along a county road  
 1-29 located in a subdivision. The order may provide for:

1-30 (1) the installation, operation, and maintenance of  
 1-31 the street lights by:

1-32 (A) the county; or

1-33 (B) another public or private entity with which  
 1-34 the county may contract;

1-35 (2) the imposition of a fee on landowners in the  
 1-36 subdivision who benefit from the street lights;

1-37 (3) the collection of a fee imposed under this  
 1-38 subsection by ~~+~~

1-39 ~~[(A)] the county tax assessor-collector ~~+, or~~~~

1-40 ~~[(B) another public or private entity with which~~  
 1-41 ~~the county may contract]; and~~

1-42 (4) any other matter the commissioners court finds  
 1-43 necessary to the installation, operation, or maintenance of the  
 1-44 street lights.

1-45 (d) The county tax assessor-collector of a county in which a  
 1-46 fee is imposed under this section shall include the fee in the tax  
 1-47 bill prepared under Section 31.01, Tax Code, for each landowner  
 1-48 whose real property is benefited by the street lights for which the  
 1-49 fee is imposed. The tax bill must separately state the amount of  
 1-50 the fee imposed under this section. The county tax  
 1-51 assessor-collector shall collect the fee for the county in the same  
 1-52 manner that the county tax assessor-collector collects ad valorem  
 1-53 taxes for the county.

1-54 (e) A commissioners court may obtain a lien against real  
 1-55 property benefited by the street lights for which a fee is imposed  
 1-56 under this section to secure payment of the fee. To obtain the  
 1-57 lien, the commissioners court must file a notice with the county  
 1-58 clerk of the county in which the property is located that includes:

1-59 (1) a statement that the fee has been imposed on the  
 1-60 landowner and the amount of the fee;

2-1 (2) a legal description of the property on which the  
2-2 lien is to be attached sufficient to identify the property; and

2-3 (3) the name of the landowner, if known.

2-4 (f) The lien authorized by this section exists in favor of  
2-5 the county. The lien attaches to the real property on the date the  
2-6 notice of lien is filed with the county clerk. The lien is inferior  
2-7 to a mortgage lien recorded with the county clerk before the date  
2-8 the lien authorized by this section attaches to the property. A  
2-9 county may not foreclose a lien authorized by this section if the  
2-10 lien is the only lien attached to the property.

2-11 SECTION 2. The changes in law made by this Act apply only to  
2-12 a fee imposed by a county under Section 280.003, Transportation  
2-13 Code, as amended by this Act, on or after the effective date of this  
2-14 Act.

2-15 SECTION 3. This Act takes effect September 1, 2015.

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