

## COMMITTEE SUBSTITUTE FOR H.B. No. 4604

### A BILL TO BE ENTITLED AN ACT

relating to the authority of the Barrett Management District to finance an improvement project or service.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

**SECTION 1.** Subchapter D, Chapter 3930, Special District Local Laws Code, is amended by adding Section 3930.1515 to read as follows:

Sec. 3930.1515. ELECTION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS. The board may not finance a service or an improvement project under this chapter unless the service or improvement is approved by 60 percent of the votes cast in an election held for that purpose. The election must be conducted in the manner provided by Subchapter D, Chapter 49, Water Code, for a bond election.

**SECTION 2.** Section 3930.154, Special District Local Laws Code, is amended to read as follows:

Sec. 3930.154. ASSESSMENTS; LIENS FOR ASSESSMENTS [NOT AUTHORIZED].

(a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district [The district may not impose an assessment].

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

- (1) are a first and prior lien against the property assessed;
- (2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and
- (3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments [Subchapter F, Chapter 375, Local Government Code, does not apply to the district].

**SECTION 3.** Section 3930.151, Special District Local Laws Code, is repealed.

**SECTION 4.** (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time.

(d) 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 have been fulfilled and accomplished.

**SECTION 5.** This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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