

BILL ANALYSIS

C.S.S.B. 592
By: Watson
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that undeveloped land located within the extraterritorial jurisdiction of the City of Elgin that is slated for single-family residential and commercial development would benefit from the creation of a municipal utility district. C.S.S.B. 592 seeks to provide for the creation of such a district.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 592 amends the Special District Local Laws Code to create the Brickston Municipal Utility District, subject to municipal consent and voter approval at a confirmation election. The bill grants the district the power to undertake certain road projects. The bill authorizes the district, subject to certain requirements, to issue obligations and impose property, operation and maintenance, and contract taxes. The bill expressly prohibits the district from exercising the power of eminent domain if the bill does not receive a two-thirds vote of all the members elected to each house.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 592 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute does not include the requirement that a road project meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose extraterritorial jurisdiction the road project is located. The substitute requires a road project located in the extraterritorial jurisdiction of a municipality to meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

The substitute does not include provisions that provide for affordable housing requirements. The substitute does not include a provision prohibiting an action taken by the district from being inconsistent with the objectives of the most recently adopted state water plan.