

BILL ANALYSIS

Senate Research Center
76R8465 WP-F

H.B. 952
By: Bosse (Whitmire)
Natural Resources
4/12/1999
Engrossed

DIGEST

Spring Meadows Municipal Utility District (district) will encompass an area of land outside of the corporate limits but within the extraterritorial jurisdiction of the City of Baytown. A municipal utility district must be created because the land is not located within the city limits of Baytown. H.B. 952 would create the Spring Meadows Municipal Utility District and sets forth its powers and duties.

PURPOSE

As proposed, H.B. 952 creates the Spring Meadows Municipal Utility District and sets forth its powers and duties.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. CREATION. Sets forth a conservation and reclamation district, to be known as the Spring Meadows Municipal Utility District (district) in Harris County. Provides that the district is a governmental agency and a body politic and corporate.

SECTION 2. DEFINITION. Defines "district."

SECTION 3. BOUNDARIES. Sets forth the boundaries of the district.

SECTION 4. FINDINGS RELATING TO BOUNDARIES. Sets forth legislative findings related to the district boundaries.

SECTION 5. FINDING OF BENEFIT. Provides that all of the land and other property included within the boundaries of the district will be benefited by the works and projects that are to be accomplished by the district under powers conferred by Section 59, Article XVI, Texas Constitution. Provides that the district is created to serve a public use and benefit.

SECTION 6. POWERS. Provides that the district has all of the rights, powers, privileges, authority, functions, and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution. Provides that this Act prevails over any provision of general law that is in conflict or inconsistent with this Act. Provides that the rights, powers, privileges, authority, function, and duties of the district are subjected to the continuing right of supervision of the state to be exercised by and through the Texas Natural Resource Conservation Commission.

SECTION 7. BOARD OF DIRECTORS. Sets forth the board of directors of the district.

SECTION 8. TEMPORARY DIRECTORS. Sets forth the temporary board of directors.

SECTION 9. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. Requires the temporary board of directors to call and hold an election to confirm establishment of the district and to elect five initial directors as provided by Chapter 49, Water Code. Provides that Section 41.001(a), Election Code, does not apply to a confirmation election held as provided by this section.

SECTION 10. ELECTION OF DIRECTORS. Sets forth requirements for the election of the directors. Authorizes the board of directors by order to postpone the election for two years if certain conditions exist. Requires the appropriate number of directors to be elected to the board, on a certain date.

SECTION 11. FINDINGS RELATING TO PROCEDURAL REQUIREMENTS. Sets forth finding related to procedural requirements.

SECTION 12. Emergency clause.
Effective date: upon passage.