

BILL ANALYSIS

Senate Research Center

S.B. 1990
By: Hegar
Intergovernmental Relations
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law provides for the creation of conservation and reclamation districts and authorizes such districts to incur indebtedness to provide permanent improvements and, with voter approval, to levy taxes for the operation and maintenance of such improvements and for the repayment of such indebtedness. Such a district needs to be created in Calhoun County to provide water and wastewater facilities and services to an area in which such services and facilities are not currently available.

S.B. 1990 creates a conservation and reclamation district in Calhoun County, Texas, to be known as the Calhoun County Municipal Utility District No. 1 (district), subject to the approval at a confirmation election held within the district before September 1, 2011. This bill also provides that the district is a governmental agency created under Section 59, Article XVI, Texas Constitution. This bill provides for the appointment of temporary directors and for the election and terms of permanent directors. Finally, this bill provides that the district has the powers and duties provided by the general law of the state, including those provided by Chapter 49 (Provisions Applicable to All Districts) and Chapter 54 (Municipal Utility Districts), Water Code.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8231, as follows:

CHAPTER 8231. CALHOUN COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

Sets forth the standard language for the creation of the Calhoun County Municipal Utility District No. 1 (district). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8231.001 - 8231.020);

Size, composition, election, and terms of the board of directors of the district (Sections 8231.021 - 8231.100);

Powers and duties of the district (Section 8231.101); and

Division of the district (Section 8231.102).

Authorizes the district to exercise the power of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that 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 are fulfilled and accomplished.

SECTION 4. Effective date: upon passage or September 1, 2007.