

BILL ANALYSIS

Senate Research Center
81R18762 SLB-F

H.B. 4772
By: Kleinschmidt (Hegar)
Intergovernmental Relations
5/20/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill creates the Bastrop County Municipal Utility District No. 2 (district). Currently, the land located between the boundaries of the proposed district is underdeveloped. The territory of the district will lie within the corporate limits and extraterritorial jurisdiction of the City of Bastrop, Bastrop County, Texas. The district will have all of the powers granted to municipal utility districts operating pursuant to Chapters 49 (Provisions Applicable to All Districts) and 54 (Municipal Water Districts), Water Code, with road powers pursuant to Article III (Legislative Department), Section 52 (Counties, Cities, or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Texas Constitution.

H.B. 4772 relates to the creation of the district, provides the authority to impose a tax and to issue bonds, and grants a limited power of eminent domain.

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 8335, as follows:

CHAPTER 8335. BASTROP COUNTY MUNICIPAL UTILITY DISTRICT NO. 2

Sets forth standard language for the creation of the Bastrop County Municipal Utility District No. 2 (district) in Bastrop County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8335.001-8335.050);

Size, composition, election, and terms of the board of directors of the district (Sections 8335.051-8335.100);

Powers and duties of the district (Sections 8335.101-8335.200); and

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 8335.201-8335.203).

Prohibits the exercise of the power of eminent domain outside the district by the district to acquire a site or easement for a road project authorized by Section 8335.103 (Authority for Road Projects) or a recreational facility as defined by Section 49.462 (Definitions), Water Code.

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, 2009.