

BILL ANALYSIS

Senate Research Center

S.B. 2412
By: Deuell
Business & Commerce
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Las Lomas Municipal Utility District Nos. 3 and 4 of Kaufman County (collectively, the district) encompass an area of land outside of the corporate limits of any city and within the extraterritorial jurisdiction of the City of Terrell, Kaufman County, Texas. The land located within the district is single-family residential and commercial development; therefore, road services need to be secured.

S.B. 2412 amends current law relating to the authority of Las Lomas Municipal Utility Districts Nos. 3 and 4 of Kaufman County to undertake road projects.

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 Section 8138.102, Special District Local Laws Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Deletes existing text authorizing the Las Lomas Municipal Utility District No. 4 of Kaufman County, to the extent authorized by Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III (Legislative Department), Texas Constitution, to construct, acquire, improve, maintain, or operate turnpikes or improvements in aid of those turnpikes inside the district.

(d) Prohibits the district from exercising the power of eminent domain outside the district to acquire a site or easement for a road project authorized by this section.

SECTION 2. Provides that the change in law made by this Act applies only to Las Lomas Municipal Utility District No. 3 of Kaufman County, Las Lomas Municipal Utility District No. 4 Kaufman County, and any district created under Subchapter F (Division of District into Multiple Districts), Chapter 8138 (Las Lomas Municipal Utility), Special District Local Laws Code, after September 1, 2009.

SECTION 3. Provides that the change in law made by this Act applies only to a road project that obtains consent under Subsection (c) (relating to prohibiting the district from undertaking certain road projects), Section 8138.102, Special District Local Laws Code, or a road bond issuance authorized on or after the effective date of this Act. A road project that obtains consent under Subsection (c), Section 8138.102, Special District Local Laws Code, or a road bond issuance authorized before the effective date of this Act is subject to the law in effect on the date of consent or authorization, and that law is continued in effect for that purpose.

SECTION 4. (a) Provides that 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 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution, and Chapter 313 (Notice for Local and Special Laws), Government Code.

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

(c) Provides that TCEQ has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) 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 5. Effective date: September 1, 2009.