

BILL ANALYSIS

Senate Research Center

S.B. 2413
By: Deuell
Intergovernmental Relations
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Texas law allows for inclusion of road powers by legislative approval or regulatory approval of the Texas Commission on Environmental Quality. Current makeup of special use districts does not allow for road powers, as road powers were not originally included when the district was formed by an act of the 79th Legislature.

This bill addresses the ability of the Kaufman County Water Control and Improvement District No. 1 (district) to undertake road projects that implement local Master Plans. The district was created in the 79th Legislature, Regular Session, 2005. The land located within the district is single-family residential with some tax base growth with limited commercial development; therefore, road services need to be secured.

This bill authorizes the district to fund road projects outside its boundaries, allowing the district to be responsible for road impacts caused by development in the district and provide needed connections to local and regional facilities. This bill also clarifies that the district is not authorized to fund turnpikes.

S.B. 2413 amends current law relating to the authority of the Kaufman County Water Control and Improvement District No. 1 to undertake road projects and provides 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 Section 9002.101, Special District Local Laws Code, by amending Subsection (a) and adding Subsection (d), as follows:

(a) Authorizes the Kaufman County Water Control and Improvement District No. 1 (district), 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 macadamized, graveled, or paved roads, rather than roads or turnpikes, or improvements in aid of those roads, rather than roads or turnpikes inside the districts.

(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. Effective date: upon passage or September 1, 2009.