

BILL ANALYSIS

Senate Research Center
81R10614 SGA-F

S.B. 2458
By: Fraser
Intergovernmental Relations
4/7/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the land located within the boundaries of the proposed Clearwater Ranch Municipal Utility District No. 1 (district) is undeveloped.

As proposed, S.B. 2458 provides for the creation of the Clearwater Ranch Municipal District No. 1. The territory of the district will lie within an unincorporated area in Burnet County. 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 Section 52 (Counties, Cities, or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III (Legislative Department), Texas Constitution; the authority to impose a tax and issue bonds; and exercise 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 8353, as follows:

CHAPTER 8353. CLEARWATER RANCH MUNICIPAL UTILITY DISTRICT NO. 1

Sets forth standard language for the creation of the Clearwater Ranch Municipal Utility District No. 1. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8353.001-8353.050).

Size, composition, election, and terms of the board of directors of the district (Sections 8353.051-8353.100).

Powers and duties of the district (Sections 8353.101-8353.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 8353.151-8353.203).

Prohibits the exercise of eminent domain outside the district by the district to acquire a site or easement for a road project under Section 8353.103 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.