

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 3743  
By: Workman (Watson)  
Intergovernmental Relations  
5/20/2011  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

West Travis County Municipal Utility District No. 5 was created by the 71st Legislature, Regular, Session 1989. The district serves approximately 450 homes within the Lake Pointe Subdivision, located in the extra-territorial jurisdiction of the City of Bee Cave in Travis County.

C.S.H.B. 3743 amends current law relating the rights, powers, functions, and duties, of the West Travis County Municipal Utility District No. 5.

### **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 6, Chapter 1214, Acts of the 71st Legislature, 1989, by adding Subsection (c), as follows:

(c) Provides that, in addition to the rights, powers, privileges, authority, functions, and duties under Subsection (a) of this section, the West Texas Travis County Municipal Utility District No. 5 has all of the rights, powers, privileges, authority, functions, and duties relating to:

(1) road districts and road utility districts created under Section 52, Article III, Texas Constitution; and

(2) supply and distribution facilities or systems to provide potable and nonpotable water to the residents and businesses of Travis and Hays Counties.

(d) Prohibits the district, notwithstanding Subsection (c), from constructing, acquiring, maintaining, or operating a toll road.

SECTION 2. Amends Chapter 1214, Acts of the 71st Legislature, Regular Session, 1989, by adding Section 6A, as follows:

Sec. 6A. LIMITATION ON USE OF EMINENT DOMAIN. Prohibits the district from exercising the power of eminent domain outside the district to acquire a site or easement for:

(1) a road project authorized by Section 6 of this Act; or

(2) a recreational facility as defined by 49.462 (Definitions), Water Code.

SECTION 2. 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 3. Effective date: upon passage or September 1, 2011.