

## **BILL ANALYSIS**

Senate Research Center  
82R19298 RWG-F

H.B. 3862  
By: Smith, Wayne (Whitmire)  
Intergovernmental Relations  
5/19/2011  
Engrossed

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

Harris County Municipal Utility District No. 510 is an existing special district that was created by the legislature in 2007. H.B. 3862 amends the law governing the district to eliminate the deadline for a confirmation election, extend the period during which temporary directors may serve on the district's board of directors, and allow the district to continue in existence.

H.B. 3862 amends current law relating to temporary directors and the continuation in existence of the Harris County Municipal Utility District No. 510.

### **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 the heading to Subchapter A-1, Chapter 8240, Special District Local Laws Code, to read as follows:

#### SUBCHAPTER A-1. ORGANIZATION AND CONFIRMATION

SECTION 2. Amends Section 8240.021, Special District Local Laws Code, by amending Subsection (d) and adding Subsections (e) and (f), as follows:

(d) Provides that temporary directors serve until the earlier of:

(1) Makes no changes to this subdivision; or

(2) the fourth anniversary of the effective date of the Act enacting this chapter, rather than the date this chapter expires under Section 8240.003 (Confirmation Election Required).

(e) Requires successor temporary directors, if directors have not been elected under Section 8240.023 (Confirmation and Initial Directors' Election) and the terms of the temporary directors have expired, to be appointed or reappointed as provided by Subsection (f) to serve terms that expire on the earlier of:

(1) the date directors are elected under Section 8240.023; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(f) Authorizes the owner or owners of a majority of the assessed value of the real property in the Harris County Municipal Utility District No. 510 (district), if Subsection (e) applies, to submit a petition to the Texas Commission on Environmental Quality (TCEQ) requesting that TCEQ appoint as successor temporary directors the five persons named in the petition. Requires TCEQ to appoint as successor temporary directors the five persons named in the petition.

SECTION 3. Repealers: Sections 8240.003 (Confirmation Election Required) and 8240.025 (Expiration of Subchapter), Special District Local Laws Code.

SECTION 4. Provides that, regardless of whether Section 8240.003, Special District Local Laws Code, is repealed on the same day that this Act takes effect, the district is continued in existence and is not dissolved September 1, 2011.

SECTION 5. 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 6. Effective date: upon passage or September 1, 2011.