

BILL ANALYSIS

Senate Research Center
83R8247 RWG-F

H.B. 3925
By: Smith (Garcia)
Intergovernmental Relations
5/7/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note that the Harris County Municipal Utility District No. 213 was created several decades ago but that, due to the development plan for the district territory, it is now necessary to divide the district in two to better serve area needs. H.B. 3925 seeks to address this issue.

H.B. 3925 amends current law relating to the dissolution of the Harris County Municipal Utility District No. 213, the creation of the Harris County Municipal Utility District No. 213-A, and the creation of the Harris County Municipal Utility District No. 213-B, grants a limited power of eminent domain, provides authority to issue bonds, and provides authority to impose assessments, fees, or taxes.

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. Provides that on the effective date of this Act:

- (1) the Harris County Municipal District No. 213 is dissolved;
- (2) the terms of the directors of the district expire; and
- (3) any assets of the district, including any tax or assessment revenue, that remain after payment of the district's liabilities are transferred to the Harris County Municipal Utility District No. 213-A.

SECTION 2. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8478, as follows:

CHAPTER 8478. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 213-A

Sets forth standard language for the creation of the Harris County Municipal District No. 213-A (District 213-A) in Harris County. Sets forth standards, procedures, requirements, and criteria for:

- Creation, purpose, and approval of District 213-A (Sections 8478.001-8478.007);
- Size, composition, election, and terms of the board of directors, including the appointment of temporary directors (Sections 8478.051-8478.052);
- Powers and duties of District 213-A (Sections 8478.101-8478.105);
- Division of District 213-A into multiple districts (Sections 8478.151-8478.156);
- and

General financial provisions and authority to impose a tax and to issue bonds and obligations for District 213-A (Sections 8478.201-8478.253).

SECTION 3. Sets forth the initial boundaries of District 213-A.

SECTION 4. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8479, as follows:

CHAPTER 8479. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 213-B

Sets forth standard language for the creation of the Harris County Municipal District No. 213-B (District 213-B) in Harris County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of District 213-B (Sections 8479.001-8479.007);

Size, composition, election, and terms of the board of directors, including the appointment of temporary directors (Sections 8479.051-8479.052);

Powers and duties of District 213-B (Sections 8479.101-8479.105);

Division of District 213-B into multiple districts (Sections 8479.151-8479.156);
and

General financial provisions and authority to impose a tax and to issue bonds and obligations for District 213-B (Sections 8479.201-8479.253).

SECTION 5. Sets forth the initial boundaries of District 213-B.

SECTION 6. Provides that all requirements of the constitution and the 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 7. (a) Provides that if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8478, Special District Local Laws Code, as added by Section 2 of this Act, is amended by adding Section 8478.106, as follows:

Sec. 8478.106. **NO EMINENT DOMAIN POWER.** Prohibits the Harris County Municipal District No. 213-A from exercising the power of eminent domain.

(b) Provides that this section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 8. (a) Provides that if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8479, Special District Local Laws Code, as added by Section 4 of this Act, is amended by adding Section 8479.106, as follows:

Sec. 8479.106. **NO EMINENT DOMAIN POWER.** Prohibits the Harris County Municipal District No. 213-B from exercising the power of eminent domain.

(b) Provides that this section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c) (relating to authorizing eminent domain only on a two-thirds vote of all members elected to each house), Article I, Texas Constitution.

SECTION 9. Effective date: September 1, 2013.