

BILL ANALYSIS

Senate Research Center
83R8894 RWG-F

S.B. 1075
By: Hegar
Intergovernmental Relations
3/19/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 629, 82nd Legislature, Regular Session, 2011, provided for additional powers for the Ranch at Clear Fork Creek Municipal Utility District No. 1 (district) and added an additional 1136.29 acres to the district.

There was a dispute as to whether 203.47 of the 1136.29 acres are in the extraterritorial jurisdiction of the City of San Marcos or the City of Uhland. That is an issue for the two cities to resolve.

S.B. 1075 allows the district to exclude the 203.47 acres from the district so the district can move forward with its confirmation election and proceed with the planned development.

As proposed, S.B. 1075 amends current law relating to the addition of land in the territory of the Ranch at Clear Fork Creek Municipal Utility District No. 1.

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 8343.004, Special District Local Laws Code, as follows:

Sec. 8343.004. CONSENT OF MUNICIPALITY REQUIRED. (a) Creates this subsection from existing text and makes no further changes.

(b) Creates this subsection from existing text. Provides that consent of the City of San Marcos is required for the inclusion in the Ranch at Clear Fork Creek Municipal Utility District No. 1 (district) of the 203.47-acre tract described in Section 2 of the Act enacting this chapter, except as provided by Subsection (d).

(c) Authorizes the district, before holding an election under Section 8343.003 (Confirmation and Directors' Election Required), to exclude the 203.47-acre tract described in Section 2 of the Act enacting this chapter.

(d) Provides that the requirement that the City of San Marcos consent to the inclusion of the 203.47-acre tract described in Section 2 of the Act enacting this chapter does not apply if, on the date of the election under Section 8343.003, the tract is not included in the extraterritorial jurisdiction of the City of San Marcos as stated in a ruling by a court of final jurisdiction or in an agreement or other binding legal document.

SECTION 2. Effective date: upon passage or September 1, 2013.