

BILL ANALYSIS

Senate Research Center
83R25819 JSL-D

C.S.S.B. 1906
By: Hegar
Intergovernmental Relations
5/2/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 1906 creates a municipal management district to be known as Fort Bend County Municipal Management District No. 1 (district). The district will include approximately 1,051.673 acres in Fort Bend County, Texas. The land will be developed as a master planned/mixed use development; therefore, utility and recreational facilities and services and roads need to be secured.

C.S.S.B. 1906 amends current law relating to the creation of Fort Bend County Municipal Management District No. 1, 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. Amends Subtitle C, Title 4, Special District Local Laws Code, by adding Chapter 3927, as follows:

CHAPTER 3927. FORT BEND COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1

Sets forth standard language for the creation of the Fort Bend County Municipal Management District No. 1 (district) in Fort Bend County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3927.001-3927.007);

Size, composition, election, and terms of the board of directors, including the appointment of initial directors (Sections 3927.051-3927.054);

Powers and duties of the district (Sections 3927.101-3927.107); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 3927.151-3927.206).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. 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 4. (a) Provides that Section 3927.107, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) Provides that if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 3927, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 3927.107, as follows:

Sec. 3927.107. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(c) 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 limited eminent domain only on a two-thirds vote of all members elected to each house), Article I, Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2013.