

BILL ANALYSIS

Senate Research Center
84R10394 AAF-F

H.B. 4141
By: Stephenson (To Be Filed)
Administration
5/13/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties report that certain property located within an unincorporated area of Fort Bend County is not served by a municipal utility district. The parties contend that the property would benefit from the creation of such a district. H.B. 4141 seeks to address this issue.

H.B. 4141 amends current law to create the Fort Bend County Municipal Utility District No. 191; grants a limited power of eminent domain; provides authority to issue bonds; and provides authority to impose assessments, fees, and 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 F, Title 6, Special District Local Laws Code, by adding Chapter 7914, as follows:

CHAPTER 7914. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 191

Sets forth standard language for the creation of the Fort Bend County Municipal Utility District No. 191 (district) in Fort Bend County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7914.001-7914.050);

Size, composition, election, and terms of the board of directors of the district (Sections 7914.051-7914.100);

Powers and duties of the district (Sections 7914.101-7914.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7914.151-7914.153 and 7914.201-7914.203).

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

SECTION 3. 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 4. (a) Provides that, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7914, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7914.106 to read as follows:

Sec. 7914.106. NO EMINENT DOMAIN POWER. Prohibits the district 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) (defines "public use"), Article I, Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 20015.