

## **BILL ANALYSIS**

Senate Research Center  
84R24390 TSR-F

H.B. 4153  
By: Bell (To Be Filed)  
Administration  
5/13/2015  
Engrossed

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

H.B. 4153 amends current law to create the Montgomery-Grimes Counties Municipal Utility District No. 146, 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 7906, as follows:

#### CHAPTER 7906. MONTGOMERY-GRIMES COUNTIES MUNICIPAL UTILITY DISTRICT NO. 146

Sets forth standard language for the creation of the Montgomery-Grimes Counties Municipal Utility District No. 146 (district) in Montgomery County and Grimes County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7906.001-7906.006);

Size, composition, election, and terms of the board of directors of the district (Sections 7906.051 and 7906.052);

Powers and duties of the district (Sections 7906.101-7906.106); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7906.151-7906.153 and 7906.201-7906.203).

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 7906, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7906.107, as follows:

Sec. 7906.107. NO EMINENT DOMAIN POWER. Provides that the district is not authorized to exercise 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 the granting of the power

of eminent domain to an entity only on a two-thirds vote of all the members elected to each house by the legislature), Article I, Texas Constitution.

SECTION 5. Effective date: September 1, 2015.