

BILL ANALYSIS

Senate Research Center

H.B. 4204
By: Farney (Schwertner)
Administration
5/22/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that certain land located in Williamson County but outside the corporate city limits of any city would benefit from being developed into single-family residential homes and supporting infrastructure. Such development will necessitate the establishment of water, sewer, drainage, and road services. H.B. 4204 seeks to address that issue.

H.B. 4204 amends current law relating to the creation of the Williamson County Municipal Utility District No. 33; 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 7959, as follows:

CHAPTER 7959. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 33

Sets forth standard language for the creation of the Williamson County Municipal Utility District No. 33 (district) in Williamson County. Sets forth standards, procedures, requirements, and criteria for:

Creation, approval, purpose, and initial territory of the district (Sections 7959.001-7959.006);

Size, composition, appointment and naming of temporary directors, and election, compensation, and terms of the board of directors of the district (Sections 7959.051-7959.052);

Powers and duties of the district (Sections 7959.101-7959.105);

General financial provisions (Sections 7959.151-7959.153); and

Authority to impose taxes and to issue bonds and obligations for the district (Sections 7959.201-7959.203).

Authorizes the district to exercise a limited eminent domain power.

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 if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7959, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7959.106, as follows:

Sec. 7959.106. NO EMINENT DOMAIN POWER. Provides that the district may not 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 providing that the legislature may enact a general, local, or special law granting the power of eminent domain to an entity only on a two-thirds vote) of all the members elected to each house, Article I, Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2015.