

BILL ANALYSIS

Senate Research Center
85R7288 AAF-F

H.B. 2134
By: Metcalf (Creighton)
Administration
5/2/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Relating to the creation of the Trinity Lakes Municipal Utility District of Montgomery County; granting a limited power of eminent domain; providing authority to issue bonds; providing 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 7971, as follows:

CHAPTER 7971. TRINITY LAKES MUNICIPAL UTILITY DISTRICT OF MONTGOMERY COUNTY

Sets forth standard language for the creation of the Trinity Lakes Municipal Utility District in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

Creation, approval, and purpose of the district, including directors' confirmation and election (Sections 7971.001-7971.050);

Size, composition, and terms of the board of directors of the district, including appointment of temporary directors (Sections 7971.051-7971.100);

Powers and duties of the district (Sections 7971.101-7971.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7971.151-7971.250).

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 7971, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7971.106 to read as follows:

Sec. 7971.106. 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), Article I, Texas Constitution.

SECTION 5. Effective date: September 1, 2017.