

BILL ANALYSIS

Senate Research Center
85R27224 TSR-F

S.B. 2290
By: Creighton
Administration
5/8/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2290 creates the Harris County Municipal Utility District No. 557 (district). The district would encompass 313 acres of land in Harris County.

The district uses standard template municipal utility district language and provides for general road powers.

As proposed, S.B. 2290 amends current law relating to the creation of the Harris County Municipal Utility District No. 557, 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 8015, as follows:

CHAPTER 8015. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 557

Sets forth standard language for the creation of Harris County Municipal Utility District No. 557 (district) in Harris County. Sets forth definitions, standards, procedures, requirements, and criteria for:

Creation, approval, purpose, and initial district territory of the district (Sections 8015.001-8015.050);

Size, composition, and terms of the board of directors of the district, including the naming of the initial temporary directors (Sections 8015.051-8015.100);

Powers and duties of the district (Sections 8015.101-8015.150);

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 8015.151-8015.250);

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 8015, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8015.106 to read as follows:

Sec. 8015.106. 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) (relating to the legislature's authority to enact a certain law granting the power of eminent domain to an entity only on a certain vote), Article I (Bill of Rights), Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2017.