

BILL ANALYSIS

Senate Research Center
86R10128 BRG-F

H.B. 2060
By: Stephenson (Huffman)
Intergovernmental Relations
5/12/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2060 creates Fort Bend County Municipal Utility District No. 233 (district) containing approximately 211 acres of land in corporate limits of the City of Rosenberg. The bill would authorize the proposed district, if confirmed at an election, to finance the construction of facilities to provide water, wastewater, drainage and road services to the tract so that development could be undertaken within the proposed district.

H.B. 2060 amends current law relating to the creation of the Fort Bend County Municipal Utility District No. 233; 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 8068, as follows:

CHAPTER 8068. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 233

Sets forth standard language for the creation of the Fort Bend County Municipal Utility District No. 233 (district) in the City of Rosenberg.

Sets forth standards, requirements, and criteria for:

Creation, approval, purpose, and initial territory of the district (Sections 8068.0101–8068.0106);

Size, composition, election, and terms of the board of directors of the district, including the naming of and provisions related to initial temporary directors (Sections 8068.0201– 8068.0202);

Powers and duties of the district (Sections 8068.0301–8068.0306);

General financial provisions and authority to impose taxes (Sections 8068.0401–8068.0403); and

Authority to issue bonds and obligations for the district (Sections 8068.0501–8068.0503).

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 Section 8068.0306, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all members elected to each house.

(b) Provides that, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8068, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8068.0306, as follows:

Sec. 8068.0306. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(c) 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: upon passage or September 1, 2019.