

BILL ANALYSIS

Senate Research Center
86R10131 BRG-F

H.B. 3422
By: Stephenson (Kolkhorst)
Intergovernmental Relations
4/26/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 3422 amends the Special District Local Laws Code to create Fort Bend County Municipal Utility District No. 231 (district). H.B. 3422 grants the district limited power of eminent domain; provides authority to issue bonds; and provides authority to impose assessments, fees, and taxes to serve property within the district.

The district will encompass approximately 309.21 acres located within the extraterritorial jurisdiction of the City of Rosenberg in Fort Bend County.

H.B. 3422 conforms to the agreed template for the creation of municipal utility districts adopted by the Texas Legislature.

H.B. 3422 amends current law relating to the creation of the Fort Bend County Municipal Utility District No. 231; 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 8070, as follows:

CHAPTER 8070. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 231

Sets forth standard language for the creation of the Fort Bend County Municipal Utility District No. 231 (district) in Fort Bend County. Sets forth standards, requirements, and criteria for:

Creation, approval, purpose, and territory of the district (Sections 8070.0101–8070.0106);

Size, composition, election, and terms of the board of directors of the district, including provisions related to initial temporary directors (Sections 8070.0201–8070.0202);

Powers and duties of the district (Sections 8070.0301–8070.0305);

General financial provisions and authority to impose a taxes (Sections 8070.0401–8070.0403); and

Authority to issue bonds and obligations for the district (Sections 8070.0501–8070.0503).

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, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8070, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8070.0306, as follows:

Sec. 8070.0306. 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: upon passage or September 1, 2019.