

BILL ANALYSIS

Senate Research Center
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H.B. 4719
By: Stucky (Fallon)
Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4719 creates La La Ranch Municipal Utility District of Denton County (the district). The district will encompass approximately 345.26 acres of land located within Denton County, Texas. The district is not located within the extraterritorial jurisdiction or corporate limits of any city.

H.B. 4719 is a standard template bill and provides for water, sewer, drainage, and road facilities (the facilities), which need to be secured because the land to be located within the district will be developed for residential purposes. H.B. 4719 follows the template in all regards, except it gives the district the authority to divide and requires that any new district created by division must hold a confirmation election. The district is created under Water Code provisions applicable to all water districts and to municipal utility districts and under constitutional provisions relating to conservation and reclamation districts. The district will have full road powers and must comply with all applicable road standards. H.B. 4719 also provides that the district may provide fire fighting services. The district will have the authority to issue tax-exempt bonds to purchase, acquire, or construct the facilities. It is also necessary to empower the district with authority to impose a tax and to grant the district a limited power of eminent domain. H.B. 4719 provides for the creation, administration, powers, duties, operation, and financing of the district.

H.B. 4719 amends current law relating to the creation of the La La Ranch Municipal Utility District of Denton County; 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 8031, as follows:

CHAPTER 8031. LA LA RANCH MUNICIPAL UTILITY DISTRICT OF DENTON COUNTY

Sets forth standard language for the creation of the La La Ranch Municipal Utility District of Denton County (district) in Denton County. Sets forth standards, requirements, procedures, and criteria for:

Creation, approval, purpose, and territory of the district (Sections 8031.0101–8031.0106);

Size, composition, election and terms of the board of directors of the district and provisions relating to temporary directors (Sections 8031.0201–8031.0202);

Powers and duties of the district, including division of the district (Sections 8031.0301–8031.0306);

General financial provisions, including authority to impose taxes (Sections 8031.0401–8031.0403); and

Authority to issue bonds and other obligations for the district (Sections 8031.0501–8031.0503).

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 8031, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8031.0308, as follows:

Sec. 8031.0308. 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, 2019.