

BILL ANALYSIS

Senate Research Center

C.S.H.B. 4584
By: Ellzey (Birdwell)
Local Government
5/21/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4584 amends the Special District Local Laws Code to create the Sterrett Road Municipal Management District within the extraterritorial jurisdiction of the City of Waxahachie, subject to voter approval at a confirmation election, to provide certain improvements, projects, and services for public use and benefit.

C.S.H.B. 4584 amends current law relating to the creation of the Sterrett Road Municipal Management District, 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 C, Title 4, Special District Local Laws Code, by adding Chapter 3959, as follows:

CHAPTER 3959. STERRETT ROAD MUNICIPAL MANAGEMENT DISTRICT

Sets forth standard language for the creation of the Sterrett Road Municipal Management District (district) in the City of Waxahachie (city). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of and public purpose for the district (Sections 3959.0001-3959.0008);

Size, composition, appointment, and compensation and reimbursement of expenses for the board of directors, including composition of the initial directors (Sections 3959.0051-3959.0053);

Powers and duties of the district (Sections 3959.0101-3959.0110);

General financial provisions and authority to impose a tax and issue bonds (Sections 3959.0151-3959.0206); and

Dissolution of the district by the city (Section 3959.0901).

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 Section 3959.0110, 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 the 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 3959, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 3959.0110, as follows:

Sec. 3959.0110. 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, 2021.