

BILL ANALYSIS

Senate Research Center
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H.B. 4630
By: King, Phil (Springer)
Local Government
5/21/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This is a local bill affecting only property lying within a proposed municipal management district. The property is near the City of Fort Worth in the Dallas-Fort Worth Metroplex, where homes are urgently needed. The property is in an area that would benefit from such mixed-use and residential development, but does not have sufficient water, sewer, roads, or storm drainage to support development, and there are no immediate municipal plans to provide such improvements or services. This bill seeks to address the lack of municipal services in the area by providing a means for the developer of the property to finance the water, sewer, drainage, and roadway infrastructure to serve the property and to provide the property with such municipal services. This bill would create the Parker County Municipal Management District (MMD) No. 2, a development district under Chapter 375, Local Government Code. The district would allow for the financing of various utility and roadway improvements and services necessary to develop the property, allowing the developer to provide much-needed housing to the Dallas-Fort Worth area. This bill is based on the MMD template, with the addition that the district may issue bonds under Chapter 372, Local Government Code, under certain limited circumstances. The bill grants the district a limited power of eminent domain, utilizing the language from the MUD template.

H.B. 4630 amends current law relating to the creation of the Parker County Municipal Management District No. 2, provides authority to issue bonds, provides authority to impose assessments, fees, and taxes, and grants a limited power of eminent domain.

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 3996, as follows:

CHAPTER 3996. PARKER COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 2

Sets forth standard language for the creation of the Parker County Municipal Management District No. 2 (district) in the City of Fort Worth (city). Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3996.0101-3996.0108);

Size, composition, appointment, compensation, and terms of the board of directors of the district, including the naming of the initial directors (Sections 3996.0201-3996.0203);

Powers and duties of the district (Sections 3996.0301-3996.0311);

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 3996.0401-3996.0506); and

Dissolution of the district by the city (Section 3996.0901).

Provides a limited power of eminent domain.

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 3996.0310, 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 3996, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 3996.0310, as follows:

Sec. 3996.0310. 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.