

BILL ANALYSIS

H.B. 3612
By: Cook, Robby
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current Texas law provides for the creation of conservation and reclamation districts which are authorized to incur indebtedness to provide permanent improvements and to levy taxes for the maintenance and operation of such improvements.

HB 3612 creates a conservation and reclamation district to be known as the Garfield Municipal Utility District No. 1 (district). The district is wholly located within Bastrop County and is subject to both approval of the City of Bastrop and a confirmation election.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. DEFINITION. Defines "board," "commission," and "district."

SECTION 2. CREATION. Provides that a conservation and reclamation district, to be known as the Garfield Municipal Utility District No. 1 (district), is created in Bastrop County, subject to approval at a confirmation election under SECTION 12 of this Act. Provides that the district is a political subdivision of the state.

SECTION 3. AUTHORITY FOR CREATION. Provides that the district is created under and is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

SECTION 4. FINDING OF BENEFIT AND PUBLIC PURPOSE. The district is created to serve a public use and benefit. All of the land and other property included within the boundaries of the district will be benefitted by the works and projects that are to be accomplished by the district

SECTION 5. BOUNDARIES. Sets forth the boundaries of the district.

SECTION 6. FINDINGS RELATIVE TO BOUNDARIES. Sets forth legislative findings relating to the boundaries of the district.

SECTION 7. POWERS. Sets forth the powers of the district.

SECTION 8. DEVELOPMENT AGREEMENT. Provides that the district and the municipality may contract for certain enumerated measures.

SECTION 9. APPLICABILITY OF OTHER LAWS. Provides that this Act prevails over any provision of general law that may conflict.

SECTION 10. BOARD OF DIRECTORS. Sets forth regulations regarding the board of directors of

the district (board).

SECTION 11. TEMPORARY DIRECTORS. Sets forth the composition of the temporary board.

SECTION 12. CONFIRMATION AND INITIAL DIRECTORS ELECTION. Sets forth regulations regarding the confirmation and initial directors' election.

SECTION 13. ELECTION OF PERMANENT DIRECTORS. Sets forth regulations regarding the election of directors.

SECTION 14. FINDINGS RELATING TO PROCEDURAL REQUIREMENT. Provides that all procedural requirements regarding this Act have been met.

SECTION 15. METES AND BOUNDS DESCRIPTIONS. Describes the metes and bounds of the district.

SECTION 16. EFFECTIVE DATE.

EFFECTIVE DATE

Upon passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.