

BILL ANALYSIS

C.S.H.B. 3551
By: Howard
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Fort Bend County Municipal Utility District No. 134 (the "District") encompasses an area of undeveloped land inside the extraterritorial jurisdiction of the City of Houston, in Fort Bend County Texas. The land will be developed into a mixed-use, residential and commercial development. In order to help expedite this development, C.S.H.B. 3551 provides the District the ability to undertake road projects in certain limited circumstances. In addition, C.S.H.B. 3551 provides the District the authority to issue bonds and other obligations for road projects, upon approval of a two-thirds majority of voters in the District.

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. C.S.H.B. 3551 amends Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001, by adding Section 3.015. C.S.H.B. 3551 authorizes the District to construct, acquire, improve, maintain or operate certain types of roads or turnpikes inside the District. C.S.H.B. 3551 provides that a road project must meet applicable standards and requirements. C.S.H.B. 3551 requires the District to receive consent from local governing bodies before undertaking a road project. C.S.H.B. 3551 authorizes eminent domain powers only within the district boundaries.
- Section 2. C.S.H.B. 3551 amends Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001, by adding Section 5.015. C.S.H.B. 3551 authorizes issuance of bonds or other obligations to finance road projects. C.S.H.B. 3551 requires two-thirds majority vote before the issuance of bonds. C.S.H.B. 3551 limits the amount of bonds or other obligations the District can incur. C.S.H.B. 3551 provides that Sections 49.181 and 49.182, Water Code do not apply to a project undertaken under Section 3.015 of this Act or to bonds issued to finance such projects. C.S.H.B. 3551 authorizes the District to impose an ad valorem tax.
- Section 3. Effective Date.

EFFECTIVE DATE

On Passage; or if the Act does not receive the necessary vote, September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 3551 revises Section 3.015 of the Act to eliminate the right to have road powers upon favorable vote of the electors within the District's boundaries and eliminated references to the exercise of such powers in accordance with Chapter 257, Transportation Code and other general laws of the state relating to road districts. Rather, C.S.H.B. 3551 sets forth certain circumstances where the district may undertake road projects.

The substitute revises Section 5.015 of the Act to eliminate references to the bond election for acquiring authorization to issue bonds for road projects being conducted in accordance with Section 53.029, Water Code.

C.S.H.B. 3551 also limits the right of eminent domain to acquire land, easements or rights-of-way for road projects inside its boundaries.