

BILL ANALYSIS

Senate Research Center

S.B. 889
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Intergovernmental Relations
7/19/2005
Enrolled

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Development and growth in the area of eastern Montgomery County has created the need for permanent improvements such as water production and distribution facilities, wastewater collection and treatment facilities, drainage projects, and other conservation and reclamation projects. Section 59, Article XVI, Texas Constitution, provides for the creation of conservation and reclamation districts which are authorized to incur indebtedness to provide such permanent improvements and to levy taxes for the maintenance and operation of such improvements and for the repayment of such indebtedness.

S.B. 885, pursuant to Section 59, Article XVI, Texas Constitution, and subject to the continuing supervisory jurisdiction of the Texas Commission on Environmental Quality, creates a conservation and reclamation district to be known as East Montgomery County Municipal Utility District No. 13, over a portion of the land to be developed as a residential community with related retail and commercial properties in the eastern portion of Montgomery County.

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 8117, as follows:

CHAPTER 8117. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 13

Sets forth standard language for the creation of the Montgomery County Municipal Utility District No. 13 (district) in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

Creation, approval, purpose, inclusion of special zones, applicability of law, of the district (Sections 8117.001-8117.005);

Size, composition, election, qualifications, procedures, and terms of the board of directors of the district (Sections 8117.021-8117.8117.052); and

Powers and duties of the district (Sections 8117.101-8117.102).

Does not authorize or prohibit the use of eminent domain by the district.

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. Effective date: upon passage or September 1, 2005.