

## **BILL ANALYSIS**

C.S.S.B. 1872  
By: Armbrister  
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.S.B. 1872 provides the District the ability to undertake road projects in certain limited circumstances. In addition, C.S.S.B. 1872 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.S.B. 1872 amends Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001, by adding Section 3.015. C.S.S.B. 1872 authorizes the District to construct, acquire, improve, maintain or operate certain types of roads or turnpikes inside the District. C.S.S.B. 1872 provides that a road project must meet applicable standards and requirements. C.S.S.B. 1872 requires the District to receive consent from local governing bodies before undertaking a road project. C.S.S.B. 1872 authorizes eminent domain powers only within the district boundaries.
- Section 2. C.S.S.B. 1872 amends Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001, by adding Section 5.015. C.S.S.B. 1872 authorizes issuance of bonds or other obligations to finance road projects. C.S.S.B. 1872 requires two-thirds majority vote before the issuance of bonds. C.S.S.B. 1872 limits the amount of bonds or other obligations the District can incur. C.S.S.B. 1872 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.S.B. 1872 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.S.B. 1872 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.S.B. 1872 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.S.B. 1872 also limits the right of eminent domain to acquire land, easements or rights-of-way for road projects inside its boundaries.