

## **BILL ANALYSIS**

H.B. 1946  
By: Bonnen  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The proposed Brazoria County Municipal Utility District No. 64 encompasses an area of land outside the corporate limits of any city and within the extraterritorial jurisdiction of the Village of Bonney, Brazoria County, Texas. The land located within the district will be developed into single family residential and commercial development; therefore, water, sewer, drainage, and road services need to be secured.

H.B. 1946 creates the Brazoria County Municipal Utility District No. 64 and authorizes the purchase, acquisition, or construction of facilities using tax exempt bonds and provides regulations regarding the creation, administration, powers, duties, operation, and financing of 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**

H.B. 1946 amends the Special District Local Laws Code to set forth standard language for the creation of the Brazoria County Municipal Utility District No. 64. The bill sets forth standards, procedures, requirements, and criteria for the creation and approval of the district, the size, composition, election, and terms of the board of directors of the district, the powers and duties of the district, including the power to undertake certain road projects, the compliance of the district with a municipal consent ordinance or resolution, the limited use of eminent domain, and the procedures for the division of the district.

H.B. 1946 authorizes the Village of Bonney to annex part of the territory of the district into its corporate limits under an agreement between the Village of Bonney and the owners of the land being annexed, and provides for the dissolution of the district and its debts and obligations assumed by the Village of Bonney under certain conditions.

H.B. 1946 sets forth general financial provisions and the authority of the district to issue bonds and obligations guaranteed by a property tax on real property within the district, subject to the approval of a majority of district voters voting at an election or a two-thirds majority to finance a road project. The bill prohibits the district, in developing or maintaining a recreational facility or road project, from acquiring land, an easement, or other property by condemnation. The bill sets forth the initial boundaries of the district. The bill defines the terms "board," "director," and "district" for the purposes of these provisions.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.