

BILL ANALYSIS

H.B. 4715
By: Creighton
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Numerous municipal utility districts in Montgomery County and Liberty County were created by the legislature in 2005 and 2007. Each district had temporary directors appointed and was then required to hold a confirmation election within five years of the effective date of the creation legislation. If such an election is not held, the district is dissolved on the fifth anniversary of the enacting legislation's effective date.

When the districts were created, many new residential communities were being constructed in Montgomery and Liberty Counties. These districts were to provide services to the new communities. However, the current economic environment has created a decrease in the demand for new homes resulting in a decline in new residential development in the greater Houston area. Accordingly, it is now likely that the development timetable will not require such elections to be held prior to the deadlines.

H.B. 4715 repeals the deadlines for confirmation elections to preserve the creation of the districts until development necessitates activation of the municipal utility district and consequently the holding of 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

H.B. 4715 amends the Special District Local Laws Code to repeal Sections 8112.003, 8112.026, 8113.003, 8113.026, 8114.003, 8114.026, 8115.003, 8115.026, 8116.003, 8116.026, 8117.003, 8117.026, 8118.003, 8118.026, 8119.003, 8119.026, 8120.003, 8120.026, 8185.003, and 8185.026, Special District Local Laws Code, relating to the requirement of confirmation elections for the creation of East Montgomery County Municipal Utility Districts Nos. 8, 9, 10, 11, 12, 13, and 14, Montgomery County Municipal Utility Districts Nos. 100, and 101, and Liberty County Municipal Utility District No. 5 and the expiration of temporary provisions on those districts. The bill makes conforming changes related to the repeal of those provisions.

EFFECTIVE DATE

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