

BILL ANALYSIS

H.B. 4749
By: Eissler
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law and the Texas Constitution authorize districts located wholly or partially within Harris and Montgomery Counties, together with other counties, to issue bonds supported by property taxes to pay for the development and maintenance of recreational facilities if such bonds are authorized by a majority vote of the qualified voters of the district voting in an election held for that purpose. The law creates an exception to this authority for a district located wholly or partly in Montgomery County with the intent to assure that property tax supported bonds would not be issued to pay for recreational facilities that had been previously constructed in the developed portions of the county, but the law is not broad enough to restrict the ability of Harris-Montgomery Counties Municipal Utility District No. 386, formerly Harris County Municipal Utility District No. 386, to sell such bonds, even though the vast majority of that acreage is within Harris County, Texas.

H.B. 4749 excepts the Harris-Montgomery Counties Municipal Utility District No. 386, formerly known as Harris County Municipal Utility District No. 386, from a provision excluding certain districts located in Montgomery County from the authority to issue bonds for recreational facilities, subject to a majority vote of district voters.

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. 4749 amends Section 6, Chapter 1381, Acts of the 77th Legislature, Regular Session, 2001, to except the Harris-Montgomery Counties Municipal Utility District No. 386, formerly known as Harris County Municipal Utility District No. 386, from a provision of law that excludes a district located in Montgomery County that includes land within a planned community of at least 15,000 acres of land, of which a majority of the developed acreage is subject to restrictive covenants containing property assessments from the authority to issue bonds for recreational facilities, subject to a majority vote of district voters.

H.B. 4749 establishes that the Harris-Montgomery Counties Municipal Utility District No. 386, formerly known as Harris County Municipal Utility District No. 386, retains all the rights, powers, privileges, authority, duties, and functions that it had before the effective date of this bill.

EFFECTIVE DATE

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