

BILL ANALYSIS

S.B. 588
By: Hegar
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the land located within the boundaries of the proposed Waller County Municipal Utility District No. 9 (district) is undeveloped. The territory of the district would lie within the extraterritorial jurisdiction of the City of Houston and the unincorporated area of Waller County

S.B. 588 creates the district and provides that the district will have all of the powers granted to municipal utility districts operating pursuant to Chapters 49 (Provisions Applicable to All Districts) and 54 (Municipal Utility Districts), Water Code, with road powers pursuant to Section 52 (Counties, Cities, or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds) Article III (Legislative Department), Texas Constitution; the authority to impose a tax and issue bonds; and exercise a limited power of eminent domain.

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. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8304, as follows:

CHAPTER 8304. WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 9

Sets forth standard language for the creation of the Waller County Municipal Utility District No. 9 (district) in Waller County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8304.001-8304.050);

Size, composition, election, and terms of the board of directors of the district (Sections 8304.051-8304.100);

Powers and duties of the district (Sections 8304.101-8304.150); and

General financial provisions and authority to issue bonds and obligations for the district (Sections 8304.151-8304.203).

Prohibits the use of eminent domain outside the district by the district to acquire a site or easement for a road project authorized under Section 8304.103 or a recreational facility as defined by Section 49.462, Water Code.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that all requirements of the constitution 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. Provides the effective date of this Act.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.