

BILL ANALYSIS

S.B. 1337
By: Estes
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Van Alstyne Municipal Utility District No. 1 of Grayson County (district) will encompass an area of land outside the corporate limits of any city and within the extraterritorial jurisdiction of the City of Van Alstyne, Texas. The land to be 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. It is necessary to create the district under Chapters 49 (Provisions Applicable to All Districts) and 54 (Municipal Utility District), Water Code, and Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution, in order to purchase, acquire, or construct facilities for such services to serve the future occupants of the land utilizing tax exempt bonds. It is also necessary to empower the district with authority to impose a tax and issue bonds; granting the power of eminent domain

S.B. 1337 amends current law relating to the creation of the Van Alstyne Municipal Utility District No. 1 of Grayson County, providing authority to impose a tax and issue bonds, and granting 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 8311, as follows:

CHAPTER 8311. VAN ALSTYNE MUNICIPAL UTILITY DISTRICT NO.1 OF GRAYSON COUNTY

Sets forth standard language for the creation of the Van Alstyne Municipal Utility District No.1 (district) in Grayson County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8311.001-8311.050);

Size, composition, election, and terms of the board of directors of the district (Sections 8311.051-8311.100);

Powers and duties of the district (Section 8311.101-8311.150); and

General financial provisions and authority impose a tax and issue bonds and obligations for the district (Sections 8311.151-8311.203).

Prohibits the exercise of the power of eminent domain outside the district by the district to acquire a site or easement for a road project authorized by Section 8311.103 or a recreational facility as defined by Section 49.462, Water Code. Prohibits the district from exercising the power of eminent domain in the corporate limits of the City of Van Alstyne unless the city has consented by ordinance or resolution to that exercise of eminent domain authority.

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

SECTION 3. Provides that all requirements of the constitution and the laws of this state 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.