

BILL ANALYSIS

S.B. 2483
By: Williams
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Section 49.4645(f), Water Code (relating to this section not applying to districts in Montgomery County and includes certain lands), was applied to Montgomery County, intending to ensure that bonds supported by ad valorem taxes would not be issued to pay for the recreational facilities which had been previously constructed in the developed portions of the county. However, this change mistakenly applied to Harris-Montgomery Counties Utility District No. 386 (district), preventing the district from selling bonds for this purpose, even though the vast majority of acreage of the district is within Harris County.

S.B. 2483 provides that Section 49.4645, Water Code, does not apply to the district, thus authorizing the district to use tax exempt bonds to pay for recreational facilities.

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 Section 6, Chapter 1381, Acts of the 77th Legislature, Regular Session, 2001, by adding Subsection (d), to provide that Section 49.4645(f) (relating to this section not applying to districts in Montgomery County and includes certain lands), Water Code, does not apply to the district.

SECTION 2. Provides that the Harris-Montgomery Counties Municipal Utility District (MUD) No. 386, formerly known as Harris County MUD No. 386, retains all the rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

SECTION 3. (a) Provides that the legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution, and Chapter 313 (Notice for Local and Special Laws), Government Code.

(b) Provides that the governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality (TCEQ).

(c) Provides that TCEQ has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) Provides that all requirements of the constitution and 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.