

BILL ANALYSIS

H.B. 3862
By: Smith, Wayne
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Harris County Municipal Utility District No. 510 is an existing special district recently created by the legislature. H.B. 3862 seeks to establish provisions relating to temporary directors and the continuation in existence of the district.

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. 3862 amends the Special District Local Laws Code to provide that temporary directors of the Harris County Municipal Utility District No. 510 serve until the fourth anniversary of the effective date of the act enacting the chapter relating to the district if that date is earlier than the date directors are elected at a district confirmation and initial directors' election. The bill makes a conforming change relating to a date in a provision repealed by the bill.

H.B. 3862, if directors have not been elected at a confirmation and initial directors' election and the terms of the temporary directors have expired, requires successor temporary directors to be appointed or reappointed to serve terms that expire on the earlier of the date directors are elected at such an election or the fourth anniversary of the date of the appointment or reappointment. The bill, if successor temporary directors are required to be appointed or reappointed, authorizes the owner or owners of a majority of the assessed value of the real property in the district to submit a petition to the Texas Commission on Environmental Quality (TCEQ) requesting that TCEQ appoint as successor temporary directors the five persons named in the petition, and requires TCEQ to appoint such persons as successor temporary directors.

H.B. 3862 repeals a provision dissolving the district, except with regard to payment of debts and transfer of assets, on September 1, 2011, and providing for the expiration of the provisions of law relating to the district on September 1, 2014, if the creation of the district is not confirmed at a confirmation election before September 1, 2011. The bill repeals a provision setting temporary provisions relating to temporary directors, an organizational meeting of temporary directors, a confirmation and initial directors' election, terms of initial elected directors, and expiration of such temporary provisions to expire September 1, 2014.

H.B. 3862 establishes that, regardless of whether provisions relating to a required confirmation election are repealed on the same day that the bill's provisions take effect, the district is continued in existence and is not dissolved September 1, 2011.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.