

BILL ANALYSIS

H.B. 3892
By: Toth
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that statutes governing the Montgomery County Municipal Utility District No. 102 need to be updated to repeal the confirmation election deadline, provide a new deadline for the election of initial directors, and repeal the dissolution provision. H.B. 3892 seeks to respond to these needs by amending current law relating to the period for confirmation and the terms of the temporary directors of the Montgomery County Municipal Utility District No. 102.

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. 3892 amends the Special District Local Laws Code to establish that temporary directors of Montgomery County Municipal Utility District No. 102 serve until September 1, 2013, rather than September 1, 2015, if September 1, 2013, is earlier than the date initial directors are elected. The bill repeals the provision setting the September 1, 2015, expiration date of temporary provisions relating to the district. The bill, if initial directors have not been elected and the terms of temporary directors have expired, requires successor temporary directors to be appointed or reappointed to serve terms that expire on the earlier of the date initial directors are elected or the fourth anniversary of the date of the appointment or reappointment. The bill, if successor temporary directors are necessary, provides for the appointment by the Texas Commission on Environmental Quality of five successor temporary directors named in a petition submitted by the owner or owners of a majority of the assessed value of the real property in the district. The bill repeals a provision dissolving the district on September 1, 2015, if creation of the district is not confirmed before that date.

H.B. 3892 repeals Sections 8263.003 and 8263.025, Special District Local Laws Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.