

BILL ANALYSIS

Senate Research Center
83R8067 SLB-F

S.B. 1823
By: Hegar
Intergovernmental Relations
3/28/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill authorizes the Fort Bend County Municipal Utility District No. 134 to design, acquire, construct, finance, improve, operate, and maintain certain roads, turnpikes, and improvements. The bill also provides for the division of the district.

As proposed, S.B. 1823 amends current law relating to the administration, powers, and duties of the Fort Bend Municipal Utility District No. 134.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2.01(a), Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001, to delete existing text providing that the Fort Bend County Municipal Utility District No. 134 (district) is governed by a board of five directors elected a provided by Section 2.04.

SECTION 2. Amends Section 3.015(a), Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001, to authorize the district to construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes, including entrance and exit ramps to and from State Highway 99, also known as the Grand Parkway, inside the district, to the extent authorized by Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III, Texas Constitution.

SECTION 3. Amends the heading to Section 7.03, Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001, to read as follows:

SECTION 7.03. LAW GOVERNING DIVIDED DISTRICT; APPOINTMENT AND ELECTION OF DIRECTORS.

SECTION 4. Amends Sections 7.03(a) and (e), Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001, as follows:

(a) Provides that this chapter applies to any new district created by the division of the district, and provides that a new district has all the powers and duties of the district.

(e) Requires that members of a successor to the board of directors of a district resulting from a division under this article be elected on the uniform election date in May of each even-numbered year, rather than as provided by Section 2.04 of this Act. Makes a nonsubstantive change.

SECTION 5. Repealers: Sections 2.01(c) (relating to the requirement that initial directors serve until permanent directors are elected), 2.04 (Election of Permanent Directors), 2.05(b) (relating to authorizing the district to adopt bylaws and to compensation for certain directors), 2.10

(Principal Office), 5.05 (Property: Rendition; Valuation; Levy), and 9.02 (Initial Directors Election), Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001.

SECTION 6. 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 7. Requires a board of directors of a district created by the division of the district to hold an election on the uniform election date in May 2014. Provides that at that election, all board member positions for which the terms expire in an odd-numbered year will be up for election. Requires the board members elected for a district to cast lots to determine or otherwise decide among themselves which two are required to serve two-year terms and which three are required to serve four-year terms to reestablish the staggering of terms required by Section 2.01(b) (relating to an exception for initial directors to the requirement that directors serve staggered four-year terms), Chapter 1342, Acts of the 77th Legislature, Regular Session, 2001.

SECTION 8. Effective date: upon passage or September 1, 2013.