

BILL ANALYSIS

S.B. 1831
By: Hegar
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

S.B. 1831 proposes to grant authority to construct and finance additional roads, under Section 52 (Counties, Cities, or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III, Texas Constitution, to Fulshear Municipal Utility District No. 1 of Fort Bend County. The district was created by the Texas Legislature in 2007 and operates under Chapter 8207 (Fulshear Municipal Utility District), Special District Local Laws Code, and Chapters 49 (Provisions Applicable to All Districts) and 54 (Municipal Utility Districts) of the Water Code. Improvements to roads located outside the boundaries of the district are necessary to promote the development of the area within the district.

This bill authorizes the district to construct and finance road projects located outside the boundaries of the district, whereas the current law limits the district's authority to inside the boundaries of the district.

As proposed, S.B. 1831 amends current law relating to the power and duties of the Fulshear Municipal Utility District No. 1 of Fort Bend County.

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 8207.102(a), Special District Local Laws Code, to authorize the Fulshear Municipal Utility District No. 1 of Fort Bend County (district), to the extent authorized by Section 52 (Counties, Cities, or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III, Texas Constitution, to construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes, rather than construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes, inside the district.

SECTION 2. Provides that the district 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 legislature validates and confirms all governmental acts and proceedings of the district that were taken before the effective date of this Act.

(b) Provides that this section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

SECTION 4. 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 5. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect immediately if this Act receives a vote of two-thirds of all members of both houses; otherwise, this Act takes effect September 1, 2013.