

## **BILL ANALYSIS**

Senate Research Center

S.B. 2002  
By: Creighton  
Intergovernmental Relations  
7/24/2015  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 2002 amends current law relating to the powers and duties of the Montgomery County Municipal Utility District No. 111 and to the creation of the F.M. 2920/Becker Road Municipal Utility District of Harris County; grants a limited power of eminent domain; and provides authority to issue bonds and impose fees, assessments, and taxes.

### **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 Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8390, as follows:

#### CHAPTER 8390. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 111

Sets forth standard language regarding the Montgomery County Municipal Utility District No. 111 (district) in Montgomery County. Sets forth standard, procedures, requirements, and criteria for:

Nature and purposes of the district (Sections 8390.001 and 8390.002);

Powers and duties of the district (Sections 8390.051-8390.054);

Authority to impose a tax and issue bonds and obligations for road projects (Sections 8390.101 and 8390.102).

SECTION 2. Provides that the Montgomery County Municipal Utility District No. 111 retains all rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

SECTION 3. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 7950, as follows:

#### CHAPTER 7950. F.M. 2920/BECKER ROAD MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY

Sets forth standard language regarding the F.M. 2920/Becker Road Municipal Utility District of Harris County (district) in Harris County. Sets forth standard, procedures, requirements, and criteria for:

Nature and purposes of the district (Sections 7950.001-7950.006);

Board of directors terms and naming of temporary directors (Sections 7950.051 and 7950.052);

Powers and duties of the district (Sections 7950.101-7950.105);

Authority to impose a tax and issue bonds and obligations for road projects (Sections 7950.151-7950.153 and Sections 7950.201-7950.203).

SECTION 4. Sets forth the initial boundaries of the F.M. 2920/Becker Road Municipal Utility District of Harris County.

SECTION 5. (a) Provides that, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7950, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7950.106, as follows:

Sec. 7950.106. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(b) Provides that this section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c) (authorizes the legislature, on or after January 1, 2020, to enact a general, local, or special law granting the power of eminent domain to an entity only on a two-thirds vote of all the members elected to each house), Article I, Texas Constitution.

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. Effective date: upon passage or September 1, 2015.