

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 2293
By: Creighton
Intergovernmental Relations
5/10/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This bill provides for the creation of a special district to provide financing for water, sewer, drainage, roads, and other facilities on the land within the proposed district and provide for water and wastewater treatment services to nearby land when ready for development.

The district is not within any city limits or within the extraterritorial jurisdiction of any city.

The proposed district is necessary because the land on which the property is situated faces challenging drainage issues not only for the property itself, but for several of the surrounding tracts near the proposed district site that have expressed an interest in being annexed into the property.

There is an existing wastewater treatment plant, owned and operated by a privately owned utility company, Quadvest, LP, (CCN: 11612), nearby that has the capability to serve the property. Furthermore, Quadvest, LP, has the capability to serve the property with one of its water wells. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 2293 amends current law relating to the creation of Montgomery County Improvement District No. 1, provides authority to issue bonds, and provides authority to impose assessments, fees, or 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 C, Title 4, Special District Local Laws Code, by adding Chapter 3955, as follows:

CHAPTER 3955. MONTGOMERY COUNTY IMPROVEMENT DISTRICT NO. 1

Sets forth standard language for the creation of the Montgomery County Improvement District No. 1 (district) in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, intent, and approval of the district (Sections 3955.001-3955.050);

Size, appointment, and compensation of the board of directors of the district, including provisions related to initial voting directors (Sections 3955.051-3955.100);

Powers and duties of the district (Sections 3955.101-3955.150);

General financial provisions and authority to impose a tax and issue bonds, including taxes and bonds relating to designated areas (Sections 3955.151-3955.350); and

Dissolution and municipal annexation of the district (Section 3955.351).

Prohibits the district from exercising the power of eminent domain.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. 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 4. Effective date: upon passage or September 1, 2017.