

**House Bill 4268**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3798 to read as follows:	SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3798 to read as follows:	
<u>CHAPTER 3798. CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 2</u>	<u>CHAPTER 3798. CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 2</u>	
<u>SUBCHAPTER A. GENERAL PROVISIONS</u>	<u>SUBCHAPTER A. GENERAL PROVISIONS</u>	
<u>Sec. 3798.001. DEFINITIONS.</u>	<u>Sec. 3798.001. DEFINITIONS.</u>	
<u>Sec. 3798.002. CREATION AND NATURE OF DISTRICT.</u>	<u>Sec. 3798.002. CREATION AND NATURE OF DISTRICT.</u>	
<u>Sec. 3798.003. PURPOSE; LEGISLATIVE FINDINGS.</u>	<u>Sec. 3798.003. PURPOSE; LEGISLATIVE FINDINGS.</u>	
<u>Sec. 3798.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.</u>	<u>Sec. 3798.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.</u>	
<u>Sec. 3798.005. DISTRICT TERRITORY.</u>	<u>Sec. 3798.005. DISTRICT TERRITORY.</u>	
<u>Sec. 3798.006. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW.</u>	<u>Sec. 3798.006. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW.</u>	
<u>Sec. 3798.007. CONSTRUCTION OF CHAPTER.</u>	<u>Sec. 3798.007. CONSTRUCTION OF CHAPTER.</u>	
<u>Sec. 3798.008. CONFLICTS OF LAW.</u>	<u>Sec. 3798.008. CONFLICTS OF LAW.</u>	
<u>Sec. 3798.009. CONSENT OF MUNICIPALITY REQUIRED.</u>	<u>Sec. 3798.009. CONSENT OF MUNICIPALITY REQUIRED.</u>	
<u>Sec. 3798.010. EFFECT OF ANNEXATION.</u>	<u>Sec. 3798.010. EFFECT OF ANNEXATION.</u>	
<u>SUBCHAPTER B. BOARD OF DIRECTORS</u>	<u>SUBCHAPTER B. BOARD OF DIRECTORS</u>	

**House Bill 4268**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<u>Sec. 3798.051. GOVERNING BODY; TERMS.</u>	<u>Sec. 3798.051. GOVERNING BODY; TERMS.</u>	
<u>Sec. 3798.052. APPOINTMENT AND REMOVAL OF DIRECTOR APPOINTED BY CITY.</u>	<u>Sec. 3798.052. APPOINTMENT AND REMOVAL OF DIRECTOR APPOINTED BY CITY.</u>	
<u>Sec. 3798.053. APPOINTMENT BY COMMISSION.</u>	<u>Sec. 3798.053. APPOINTMENT BY COMMISSION.</u>	
<u>Sec. 3798.054. VACANCY.</u>	<u>Sec. 3798.054. VACANCY.</u>	
<u>Sec. 3798.055. DIRECTOR'S OATH OR AFFIRMATION.</u>	<u>Sec. 3798.055. DIRECTOR'S OATH OR AFFIRMATION.</u>	
<u>Sec. 3798.056. OFFICERS.</u>	<u>Sec. 3798.056. OFFICERS.</u>	
<u>Sec. 3798.057. COMPENSATION; EXPENSES.</u>	<u>Sec. 3798.057. COMPENSATION; EXPENSES.</u>	
<u>Sec. 3798.058. LIABILITY INSURANCE.</u>	<u>Sec. 3798.058. LIABILITY INSURANCE.</u>	
<u>Sec. 3798.059. NO EXECUTIVE COMMITTEE.</u>	<u>Sec. 3798.059. NO EXECUTIVE COMMITTEE.</u>	
<u>Sec. 3798.060. BOARD MEETINGS.</u>	<u>Sec. 3798.060. BOARD MEETINGS.</u>	
<u>Sec. 3798.061. INITIAL DIRECTORS.</u>	<u>Sec. 3798.061. INITIAL DIRECTORS.</u>	
<u>SUBCHAPTER C. POWERS AND DUTIES</u>	<u>SUBCHAPTER C. POWERS AND DUTIES</u>	
<u>Sec. 3798.101. GENERAL POWERS AND DUTIES.</u>	<u>Sec. 3798.101. GENERAL POWERS AND DUTIES.</u>	
<u>Sec. 3798.102. IMPROVEMENT PROJECTS AND SERVICES.</u>	<u>Sec. 3798.102. IMPROVEMENT PROJECTS AND SERVICES.</u>	
<u>Sec. 3798.103. LOCATION OF IMPROVEMENT</u>	<u>Sec. 3798.103. LOCATION OF IMPROVEMENT</u>	

**House Bill 4268**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<u>PROJECT.</u>	<u>PROJECT.</u>	
<u>Sec. 3798.104. OWNERSHIP OF IMPROVEMENT PROJECTS.</u>	<u>Sec. 3798.104. OWNERSHIP OF IMPROVEMENT PROJECTS.</u>	
<u>Sec. 3798.105. RETAIL WATER AND SEWER SERVICES PROHIBITED.</u>	<u>Sec. 3798.105. RETAIL WATER AND SEWER SERVICES PROHIBITED.</u>	
<u>Sec. 3798.106. ADDING OR REMOVING TERRITORY.</u>	<u>Sec. 3798.106. ADDING OR REMOVING TERRITORY.</u>	
<u>Sec. 3798.107. LIMITED EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain unless the governing body of the city by ordinance or resolution consents to the exercise.</u>	<u>Sec. 3798.107. NO EMINENT DOMAIN. The district may not exercise the power of eminent domain.</u>	
<u>SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS</u>	<u>SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS</u>	
<u>Sec. 3798.151. DIVISION OF DISTRICT; PREREQUISITES.</u>	<u>Sec. 3798.151. DIVISION OF DISTRICT; PREREQUISITES.</u>	
<u>Sec. 3798.152. LAW APPLICABLE TO NEW DISTRICT.</u>	<u>Sec. 3798.152. LAW APPLICABLE TO NEW DISTRICT.</u>	
<u>Sec. 3798.153. DIVISION PROCEDURES.</u>	<u>Sec. 3798.153. DIVISION PROCEDURES.</u>	
<u>Sec. 3798.154. CONTRACT AUTHORITY OF NEW DISTRICTS.</u>	<u>Sec. 3798.154. CONTRACT AUTHORITY OF NEW DISTRICTS.</u>	
<u>SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS</u>	<u>SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS</u>	
<u>Sec. 3798.201. DISBURSEMENTS AND TRANSFERS OF MONEY.</u>	<u>Sec. 3798.201. DISBURSEMENTS AND TRANSFERS OF MONEY.</u>	

**House Bill 4268**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<u>Sec. 3798.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.</u>	<u>Sec. 3798.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.</u>	
<u>Sec. 3798.203. METHOD OF NOTICE FOR HEARING.</u>	<u>Sec. 3798.203. METHOD OF NOTICE FOR HEARING.</u>	
<u>Sec. 3798.204. ASSESSMENTS; LIENS FOR ASSESSMENTS.</u>	<u>Sec. 3798.204. ASSESSMENTS; LIENS FOR ASSESSMENTS.</u>	
<u>Sec. 3798.205. NOTICE OF ASSESSMENTS.</u>	<u>Sec. 3798.205. NOTICE OF ASSESSMENTS.</u>	
<u>SUBCHAPTER F. TAXES AND BONDS</u>	<u>SUBCHAPTER F. TAXES AND BONDS</u>	
<u>Sec. 3798.251. BONDS AND OTHER OBLIGATIONS.</u>	<u>Sec. 3798.251. BONDS AND OTHER OBLIGATIONS.</u>	
<u>SUBCHAPTER G. DISSOLUTION</u>	<u>SUBCHAPTER G. DISSOLUTION</u>	
<u>Sec. 3798.301. DISSOLUTION BY CITY ORDINANCE.</u>	<u>Sec. 3798.301. DISSOLUTION BY CITY ORDINANCE.</u>	
<u>Sec. 3798.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.</u>	<u>Sec. 3798.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.</u>	
<u>Sec. 3798.303. ASSUMPTION OF ASSETS AND LIABILITIES.</u>	<u>Sec. 3798.303. ASSUMPTION OF ASSETS AND LIABILITIES.</u>	
<u>SUBCHAPTER Z. SPECIAL BOND PROVISIONS</u>	<u>SUBCHAPTER Z. SPECIAL BOND PROVISIONS</u>	
<u>Sec. 3798.901. APPLICABILITY.</u>	<u>Sec. 3798.901. APPLICABILITY.</u>	
<u>Sec. 3798.902. CONFLICT OF LAWS.</u>	<u>Sec. 3798.902. CONFLICT OF LAWS.</u>	
<u>Sec. 3798.903. WRITTEN AGREEMENT REGARDING</u>	<u>Sec. 3798.903. WRITTEN AGREEMENT REGARDING</u>	

**House Bill 4268**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<u>SPECIAL APPRAISALS.</u>	<u>SPECIAL APPRAISALS.</u>	
<u>Sec. 3798.904. REQUIREMENTS FOR ADVERTISING BOND ISSUE.</u>	<u>Sec. 3798.904. REQUIREMENTS FOR ADVERTISING BOND ISSUE.</u>	
<u>Sec. 3798.905. REQUIREMENTS FOR BOND ISSUE.</u>	<u>Sec. 3798.905. REQUIREMENTS FOR BOND ISSUE.</u>	
<u>Sec. 3798.906. REQUIREMENTS FOR COLLECTION OF REVENUE TO PAY BONDS.</u>	<u>Sec. 3798.906. REQUIREMENTS FOR COLLECTION OF REVENUE TO PAY BONDS.</u>	
SECTION 2. Sets out the metes and bounds of the district.	SECTION 2. Same as House version	
SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code. (b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality. (c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time. (d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.	SECTION 3. Same as House version.	
SECTION 4. (a) Section 3798.107, Special District Local	No equivalent provision.	

**House Bill 4268**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 3798, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 3798.107 to read as follows:

Sec. 3798.107. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(c) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. This Act takes effect September 1, 2017.

SECTION 4. Same as House version.