

BILL ANALYSIS

C.S.H.B. 4636
By: Zerwas
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that undeveloped land located within Fort Bend County would benefit from the creation of a municipal utility district. C.S.H.B. 4636 seeks to provide for the creation of such a district.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 4636 amends the Special District Local Laws Code to create the Orchard Municipal Utility District No. 1, subject to municipal consent and voter approval at a confirmation election. The bill grants the district the power to undertake certain road projects and provides for the division of the district. The bill authorizes the district, subject to certain requirements, to issue obligations and impose property, operation and maintenance, and contract taxes. The bill prohibits the district from holding certain elections, incurring debt, or issuing bonds without municipal consent. The bill expressly prohibits the district from exercising the power of eminent domain if the bill does not receive a two-thirds vote of all the members elected to each house.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4636 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute prohibits the temporary directors from holding elections regarding taxes or bonds, incurring debt, and issuing bonds until the applicable entities have consented to the creation of the district and to the inclusion of land in the district.