

BILL ANALYSIS

C.S.H.B. 4645
By: Smith
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that undeveloped land located within Grayson County would benefit from the creation of a municipal utility district. C.S.H.B. 4645 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. 4645 amends the Special District Local Laws Code to create the Grayson County Municipal Utility District No. 3, 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 maintenance of roads in territory outside of the corporate city limits of Gunter, Texas, and for the division of the district. The bill prohibits the district from acting as a retail provider of water or wastewater service and requires the district to make the district's water and wastewater facilities available to an entity holding an applicable certificate. The bill authorizes the district, subject to certain requirements, to issue obligations and impose property, operation and maintenance, and contract taxes. 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

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4645 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 includes a provision prohibiting the district from acting as a retail provider of water or wastewater service. The substitute includes a requirement for the district to make the district's water and wastewater facilities available to an entity holding the applicable certificate of public convenience and necessity.