

## **BILL ANALYSIS**

Senate Research Center  
86R27872 SLB-F

H.B. 4669  
By: Wilson (Buckingham)  
Intergovernmental Relations  
5/11/2019  
Engrossed

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

H.B. 4669 would create the Northeast Burnet County Water District No. 1 (district). The district is located in Northeast Burnet County. The nearest municipality is the City of Briggs. However, the property is not within any municipal extraterritorial jurisdiction. The district would include approximately 1,863 acres.

Along with powers from Chapter 54, Water Code, H.B. 4669 also provides for road powers pursuant to Article III, Section 52, Texas Constitution, granting a limited power of eminent domain; providing authority to issue bonds; and providing authority to impose assessments, fees and taxes. However, H.B. 4669 would prohibit the district from issuing bonds payable wholly or partially from assessments. In addition, H.B. 4669 would allow for the district to divide and/or to establish defined areas and to enter into strategic partnerships with municipalities.

Burnet County supports this bill and there is no known opposition.

H.B. 4669 amends current law relating to the creation of the Northeast Burnet County Water District No. 1; grants a limited power of eminent domain; provides authority to issue bonds; and provides authority to impose assessments, fees, 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 8064, as follows:

#### CHAPTER 8064. NORTHEAST BURNET COUNTY WATER DISTRICT NO. 1

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

Creation and approval of the district (Sections 8064.0101–8064.0106);

Size, composition, election, and terms of the board of directors of the district, including provisions relating to initial temporary directors (Sections 8064.0201–8064.0202);

Powers and duties of the district (Sections 8064.0301–8064.0306);

General financial provisions and authority to impose a tax (Sections 8064.0401–8064.0403);

Authority to impose assessments (Sections 8064.0501–8064.0504);

Authority to issue bonds and obligations for the district (Sections 8064.0601–8064.0603); and

Defined areas (Sections 8064.0701–8064.0705).

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

SECTION 3. Provides that 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 are fulfilled and accomplished.

SECTION 4. (a) Provides that, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8064, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8064.0307, as follows:

Sec. 8064.0307. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(b) 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. Effective date: upon passage or September 1, 2019.