

BILL ANALYSIS

Senate Research Center
86R24814 BRG-F

H.B. 4734
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Undeveloped land within Harris County would benefit from the creation of a municipal utility district. H.B. 4734 seeks to provide for the creation of such a district.

H.B. 4734 amends the Special District Local Laws Code to create the Green Tree Park Municipal Utility District (district), subject to municipal consent and voter approval at a confirmation election. The bill grants the district the power to undertake certain road projects. 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 and prohibits the exercise of eminent domain outside the district for certain purposes.

H.B. 4734 amends current law relating to the creation of the Green Tree Park Municipal Utility District; 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 7889, as follows:

CHAPTER 7889. GREEN TREE PARK MUNICIPAL UTILITY DISTRICT

Sets forth standard language for the creation of the Green Tree Park Municipal Utility District (district) in Harris County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7889.0101– 7889.0106);

Size, composition, election or appointment, compensation and terms of the board of directors of the district, including the naming of and provisions related to temporary directors (Sections 7889.0201– 7889.0202);

Powers and duties of the district (Sections 7889.0301– 7889.0306);

General financial provisions and authority to impose an assessment (Sections 7889.0401–7889.0403); and

Authority to impose a tax and to issue bonds and obligations for the district (Sections 7889.0501– 7889.0503).

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 Section 7889.0306, Special District Local 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) Provides that, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7889, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7889.0306, as follows:

Sec. 7889.0306. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(c) Provides that 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.