

## **BILL ANALYSIS**

Senate Research Center  
87R19196 MP-F

H.B. 3140  
By: Bell, Cecil; Oliverson (Kolkhorst)  
Local Government  
5/20/2021  
Engrossed

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

H.B. 3140 creates a municipal utility district (MUD) with broad road powers and division powers over a tract of land containing approximately 46 acres. It provides water, wastewater, drainage, park, and road improvements for this tract of land. The proposed district is located in Harris and Waller Counties. This MUD creation is supported by the landowner. H.B. 3140 conforms to the agreed template for the creation of MUDs adopted by the Texas Legislature.

H.B. 3140 amends current law relating to the creation of the Harris-Waller Counties Municipal Utility District No. 5, 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 7903A, as follows:

#### **CHAPTER 7903A. HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 5**

Sets forth standard language for the creation of the Harris-Waller Counties Municipal Utility District No. 5 (district). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district and election of permanent directors (Sections 7903A.0101-7903A.0106);

Size, composition, and terms of the board of directors of the district (Sections 7903A.0201-7903A.0202);

Powers and duties of the district (Sections 7903A.0301-7903A.0305); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7903A.0401-7903A.0503).

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

SECTION 3. Provides that all requirements of the constitution and the 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 7903A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7903A.0306, as follows:

Sec. 7903A.0306. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(b) 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, 2021.