

## **BILL ANALYSIS**

Senate Research Center  
87R15689 ANG-F

H.B. 3402  
By: VanDeaver (Hughes)  
Local Government  
4/30/2021  
Engrossed

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

It has been reported that in response to the COVID-19 pandemic, more Texans are spending more time outside and utilizing area parks and recreational facilities. The Franklin County Water District (FCWD) owns the land surrounding Lake Cypress Springs and maintains parks around the Lake that are open to the public. The district also leases the land owned by the district to residents to construct homes on the lake.

The FCWD is requesting an amendment to its enabling act to grant road powers to the district to allow it to construct future roads on district property, as well as upgrade and maintain existing roads on its property and within its parks. This road authority will benefit FCWD residents by ensuring that roads are maintained and improved by the district as needed. The FCWD is not requesting additional taxing authority to fund this road authority and will pay for all road work with non-tax revenue.

H.B. 3402 amends current law relating to the powers and duties of the Franklin County Water District.

### **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 Section 4, Chapter 719, Acts of the 59th Legislature, Regular Session, 1965, as follows:

Provides that without limiting the generality of the foregoing district powers, the district shall and is hereby empowered to exercise the following powers, privileges and functions:

(1) - (6) Makes no changes to these subdivisions.

(7) To design, acquire, construct, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads. Authorizes the district to finance the road project with notes secured by non-tax revenue. Requires that a road project meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located. Requires that a road project, if a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located. Requires the Texas Transportation Commission, if the state will maintain and operate the road, to approve the plans and specifications of the road project.

(8) Creates this subdivision from existing text and makes no further changes.

SECTION 2. Provides that the district retains all rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2021.