

BILL ANALYSIS

Senate Research Center
87R18050 SGM-F

H.B. 4609
By: Wilson (Schwertner)
Local Government
5/18/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4609 creates the Williamson County Municipal Utility District No. 40 (district). The district will construct and finance water, sewer, drainage, road, and recreational facilities to serve the land within the district. Through bonding authority, the district will enhance the affordability of future homes within the district by allowing the costs of water, sewer, drainage, and road infrastructure to be allocated over the term of the bonds.

H.B. 4609 amends current law relating to the creation of the Williamson County Municipal Utility District No. 40, 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 8141, as follows:

CHAPTER 8141. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 40

Sets forth standard language for the creation of the Williamson County Municipal Utility District No. 40 (district) in Williamson County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8141.0101-8141.0106);

Size, composition, election, and terms of the board of directors of the district (Sections 8141.0201-8141.0202);

Powers and duties of the district (Sections 8141.0301-8141.0306); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 8141.0401-8141.0504)

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 8141, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8141.0307, as follows:

Sec. 8141.0307. 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.