

## **BILL ANALYSIS**

Senate Research Center  
87R13160 CXP-F

H.B. 4619  
By: Stucky (Springer)  
Local Government  
5/21/2021  
Engrossed

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

This is a local bill affecting only property lying within a proposed municipal management district. The property is near the City of Sanger in the Dallas-Fort Worth Metroplex, where homes are in high demand. The property is in an area that would benefit from mixed-use and residential development, but does not have sufficient water, sewer, roads, or storm drainage to support development, and there are no immediate municipal plans to provide such improvements or services.

H.B. 4619 seeks to address the lack of municipal services in the area by providing a means for the developer of the property to finance the water, sewer, drainage, and roadway infrastructure to serve the property and to provide the property with such municipal services. This bill is based upon the template MMD, with the addition that the district may issue bonds under Chapter 372, Local Government Code, under certain limited circumstances. Additionally, the district may not levy a tax and may only exercise the power of eminent domain in the limited manner provided in the MUD template.

H.B. 4619 amends current law relating to the creation of the Earthland Farms Municipal Management District, provides authority to issue bonds, provides authority to impose assessments and fees, and grants a limited power of eminent domain.

### **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 C, Title 4, Special District Local Laws Code, by adding Chapter 3993, as follows:

#### CHAPTER 3993. EARTHLAND FARMS MUNICIPAL MANAGEMENT DISTRICT

Sets forth standard language for the creation of the Earthland Farms Municipal Management District (district) in the City of Sanger (city). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 3993.0101-3993.0108);

Size, composition, election, and terms of the board of directors of the district, including the naming of the initial directors (Sections 3993.0201-3993.0203);

Powers and duties of the district (Sections 3993.0301-3993.0311);

General financial provisions and authority to issue bonds and obligations for the district (Sections 3993.0401-3993.0405); and

Dissolution of the district by the city (Section 3993.0901).

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 3993.0310, 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 3993, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 3993.0310, as follows:

Sec. 3993.0310. 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, 2021.