

BILL ANALYSIS

Senate Research Center

H.B. 4638
By: Bucy (Schwertner)
Local Government
5/18/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4638 amends the Special District Local Laws Code to create the Leander Municipal Management District No. 1 to provide certain improvements, projects, and services for public use and benefit. The bill provides for, among other provisions, improvement projects or services in a definable area, an exemption from certain supervision and approval requirements relating to issuance of bonds to provide water, sewage, or drainage facilities, the addition or removal of territory, and the dissolution of the district. The district's powers and duties include, subject to certain requirements, compliance with a development agreement with the City of Leander, the owner of the majority of the land in the district, and any other entities, and the authority to issue obligations and impose property and operation and maintenance taxes and assessments, including to pay costs related to electrical or optical lines. The bill prohibits the district from exercising the power of eminent domain.

H.B. 4638 amends current law relating to the creation of the City of Leander Municipal Management District No. 1, 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 C, Title 4, Special District Local Laws Code, by adding Chapter 3918, as follows:

CHAPTER 3918. LEANDER MUNICIPAL MANAGEMENT DISTRICT NO. 1

Sets forth standard language for the creation of the City of Leander Municipal Management District No. 1 (district) in the City of Leander (city). Sets forth standards, procedures, requirements and criteria for:

Creation, purpose, and approval of district (Sections 3918.0101-3918.0110);

Size, composition, appointment, compensation, and terms of the board of directions of the district, including the naming of the initial directors (Sections 3918.0201-3918.0209);

Powers and duties of the district (Sections 3918.0301-3918.0310);

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 3918.0401-3918.0507); and

Dissolution of the district by the city (Section 3918.0901).

Prohibits the district from exercising the power of eminent domain.

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. Effective date: January 1, 2022.