

BILL ANALYSIS

Senate Research Center
87R25739 MP-D

C.S.H.B. 4651
By: Toth (Creighton)
Local Government
5/18/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that undeveloped land located within Montgomery County would benefit from the creation of a municipal utility district. H.B. 4651 seeks to provide for the creation of such a district.

(Original Author's/Sponsor's Statement of Intent)

C.S.H.B. 4651 amends current law relating to the creation of the Montgomery County Municipal Utility District No. 203, 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 7917A, as follows:

CHAPTER 7917A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 203

Sets forth standard language for the creation of Montgomery County Municipal Utility District No. 203 (district) in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7917A.0101-7917A.0106);

Size, composition, election, and terms of the board of directors of the district (Sections 7917A.0201-7917A.0202);

Powers and duties of the district (Sections 7917A.0301-7917A.0306); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7917A.0401-7917A.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 7917A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7917A.0307, as follows:

Sec. 7917A.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: September 1, 2021.