

BILL ANALYSIS

Senate Research Center
87R9975 BRG-F

S.B. 2166
By: Miles
Local Government
4/23/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2166 creates the Harris County Municipal Utility District No. 580 (district), comprising approximately 106 acres, located north of Fuqua Street, west of Kier Road, south of Almeda Genoa Road, east of Cottingham Road, and within the corporate limits of Houston, Texas. The district would be subject to all applicable rules and regulations relating to municipal utility districts located in the corporate limits of the City of Houston and is subject to a confirmation election.

S.B. 2166 uses the standard the municipal utility district (MUD) template. The MUD would enjoy the standard powers granted to such districts by statute, such as limited power of eminent domain, the authority to issue bonds, and the authority to impose assessments, fees, and taxes.

As proposed, S.B. 2166 amends current law relating to the creation of the Harris County Municipal Utility District No. 580, 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 7923A, as follows:

CHAPTER 7923A. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 580

Sets forth standard language for the creation of the Harris County Municipal Utility District No. 580 (district) in Harris County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of and public purpose for the district (Sections 7923A.0101-7923A.0106);

Size, composition, appointment, and compensation and reimbursement of expenses for the board of directors, including composition of the initial district (Sections 7923A.0201-7923A.0202);

Powers and duties of the district (Sections 7923A.0301-7923A.0306); and

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 7923A.0401-7923A.0503).

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 7923A.0306, 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 7923A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7923A.0306, as follows:

Sec. 7923A.0306. 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.