

BILL ANALYSIS

Senate Research Center
87R9545 MP-F

S.B. 2208
By: Springer
Local Government
4/26/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 2208 amends current law relating to the creation of the Rocky Top Ranch Municipal Utility District of Denton County; 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 7905, as follows:

CHAPTER 7905. ROCKY TOP RANCH MUNICIPAL UTILITY DISTRICT OF DENTON COUNTY

Sets forth standard language for the creation of the Rocky Top Ranch Municipal Utility District (district) in Denton County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7905.0101-7905.0106);

Size, composition, election, and terms of the board of directors of the district (Sections 7905.0201-7905.0202);

Powers and duties of the district (Sections 7905.0301-7905.0306); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7905.0401-7905.0503).

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 7905, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7905.0307, as follows:

Sec. 7905.0307. 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) (relating to requiring a two-thirds vote to grant the power of eminent domain), Article I, Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2021.