

BILL ANALYSIS

Senate Research Center
87R22157 MP-F

S.B. 2242
By: Gutierrez
Local Government
5/7/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2242 amends the Special District Local Laws Code to create the Medina County Water Control and Improvement District No. 4 (district) as a political subdivision of the State of Texas. The district's powers and duties include water control and improvement district powers and, subject to certain requirements, the authority to undertake road projects, issue obligations, and impose property taxes. The district will be a water control and improvement district operating pursuant to Chapters 49 and 51, Water Code.

A special district is needed to finance and construct the infrastructure necessary to promote the development of the area within the district.

Special districts are created for specific areas. No special district currently serves the area proposed to be included in the district.

There is no known opposition to this legislation.

As proposed, S.B. 2242 amends current law relating to the creation of the Medina County Water Control and Improvement District No. 4, 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 I, Title 6, Special District Local Laws Code, by adding Chapter 9031, as follows:

CHAPTER 9031. MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

Sets forth standard language for the creation of the Medina County Water Control and Improvement District No. 4 (district) in Medina County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of and public purpose for the district (Sections 9031.0101-9031.0106);

Size, composition, appointment, and compensation and reimbursement of expenses for the board of directors, including composition of the initial district (Sections 9031.0201-9031.0202);

Powers and duties of the district (Sections 9031.0301-9031.0305); and

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 9031.0401-9031.0503).

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, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 9031, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 9031.0306, as follows:

Sec. 9031.0306. 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: upon passage or September 1, 2021.