

**BILL ANALYSIS**

H.B. 1793  
By: Swanson  
Land & Resource Management  
Committee Report (Unamended)

**BACKGROUND AND PURPOSE**

Constituents and activists have raised concerns that directors and board members of municipal utility districts (MUDs) have the authority to levy fees and property taxes while not feeling the burden of those tax hikes and fees themselves. Under current law, the qualifications to be on the board of directors of a MUD are being at least 18 years of age, being a Texas resident, and either owning land subject to taxation or being a qualified voter. As a result, a MUD director or board member does not have to own taxable property in the MUD. Thus, a MUD director or board member may not directly feel the effects of an increase in property taxes levied in the MUD. H.B. 1793 seeks to ensure that MUD directors and board members are accountable for the tax hikes they may levy by striking the option for a qualified voter within a MUD to be eligible for service as a MUD director or board member and requiring a person to own taxable property within the MUD in order to qualify for that service.

**CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

**RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

**ANALYSIS**

H.B. 1793 amends the Water Code to remove the option for a person to qualify for service as a member of the board of directors of a municipal utility district by being a qualified voter within the district as an alternative to owning land subject to taxation in the district.

H.B. 1793 expressly does not affect the entitlement of a member serving immediately before the bill's effective date on the board of directors of a municipal utility district to continue to carry out the board's functions for the remainder of the member's term. The bill applies only to a board member elected or appointed on or after the bill's effective date. The bill expressly does not prohibit a person who is a board member on the bill's effective date from being reelected or reappointed to the board if the person has the qualifications required for a member under the applicable statute as amended by the bill.

**EFFECTIVE DATE**

September 1, 2023.