

## **BILL ANALYSIS**

C.S.H.B. 5326  
By: Gates  
Land & Resource Management  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Continuing development and growth in Fort Bend County has created the need for permanent improvements such as water supply and distribution facilities, wastewater collection and treatment facilities, drainage and flood control projects, road facilities, and recreational facilities. Pursuant to the Texas Constitution, and subject to the continuing supervisory jurisdiction of the Texas Commission on Environmental Quality, C.S.H.B. 5326 seeks to create a municipal utility district to be known as Orchard Municipal Utility District No. 2 as a political subdivision of the State of Texas, subject to municipal consent and voter approval at a confirmation election.

### **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**

C.S.H.B. 5326 amends the Special District Local Laws Code to create the Orchard Municipal Utility District No. 2, subject to municipal consent and voter approval at a confirmation election. The bill grants the district the power to undertake certain road projects and provides for division of the district. The bill authorizes the district, subject to certain requirements, to issue obligations and impose property, operation and maintenance, and contract taxes. The bill expressly prohibits the district from exercising the power of eminent domain if the bill does not receive a two-thirds vote of all the members elected to each house.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

C.S.H.B. 5326 differs from the introduced in minor or nonsubstantive ways by conforming to certain bill drafting conventions.