

BILL ANALYSIS

Senate Research Center
88R19077 LRM-D

H.B. 5358
By: Rogers; Capriglione (King)
Local Government
5/17/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that undeveloped land located within Palo Pinto County would benefit from the creation of a municipal utility district. H.B. 5358 seeks to provide for the creation of such a district.

H.B. 5358 amends current law relating to the creation of the Ranger Ridge Municipal Utility District of Palo Pinto 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 7998A, as follows:

CHAPTER 7998A. RANGER RIDGE MUNICIPAL UTILITY DISTRICT OF PALO PINTO COUNTY

Sets forth standard language for the creation of the Ranger Ridge Municipal Utility District of Palo Pinto County (district). Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 7998A.0101-7998A.0106);

Size, composition, election, and terms of the board of directors of the district, including the naming of initial directors (Sections 7998A.0201-7998A.0202);

Powers and duties of the district (Sections 7998A.0301-7998A.0306); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7998A.0401-7998A.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) Amends Subchapter C, Chapter 7998A, Special District Local Laws Code, as added by Section 1 of this Act, if this Act does not receive a two-thirds vote of all the members elected to each house, by adding Section 7998A.0307, as follows:

Sec. 7998A.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 authorizing the legislature to enact a general, local, or special law granting the power of eminent domain to an entity only on a two-thirds vote of all the members elected to each house), Article I (Bill of Rights), Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2023.