

BILL ANALYSIS

H.B. 5395
By: Lalani
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that an area located within Fort Bend County would benefit from the creation of an improvement district. H.B. 5395 seeks to provide for the creation of such a district.

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. 5395 amends the Special District Local Laws Code to create the Fort Bend County Water Control and Improvement District No. 11, subject to municipal consent and voter approval at a confirmation election to provide certain improvements, projects, and services for public use and benefit, such as road projects and recreational facilities. The bill provides for, among other provisions, water control and improvement district powers and road district powers. The district's powers and duties include, subject to certain requirements, the authority to issue obligations and impose property, operation and maintenance, and contract taxes. The bill requires the district to comply with all applicable requirements regarding compliance with municipal consent and prohibits the district from exercising the power of eminent domain outside the district boundaries to acquire a site or easement for a road project or recreational facility. The bill expressly prohibits the district from exercising the power of eminent domain within such limits 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.