

BILL ANALYSIS

Senate Research Center

H.B. 5398
By: Harris, Cody (Hall)
Local Government
5/15/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 5398 creates the West Lake Ranch Municipal Management District in the extraterritorial jurisdiction of the City of Corsicana.

H.B. 5398 amends current law relating to the creation of the West Lake Ranch Municipal Management District, provides authority to issue bonds, provides authority to impose assessments, fees, and taxes, and grants a limited power of eminent domain.

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 C, Title 4, Special District Local Laws Code, by adding Chapter 3942, as follows:

CHAPTER 3942. WEST LAKE RANCH MUNICIPAL MANAGEMENT DISTRICT

Sets forth standard language for the creation of the West Lake Ranch Municipal Management District (district) in the city of Corsicana (city). Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3942.0101-3942.0108);

Size, composition, appointment, compensation, and terms of the board of directors of the district (Sections 3942.0201-3942.0203);

Powers and duties of the district (Sections 3942.0301-3942.0312);

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 3942.0401-3942.0506); and

Dissolution of the district by the city (Section 3942.0901).

Authorizes the district to exercise the power of eminent domain in the manner provided by Section 49.222 (Eminent Domain), Water Code.

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) Provides that Section 3942.0311, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) Amends Subchapter C, Chapter 3942, 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 3942.0311, as follows:

Sec. 3942.0311. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent.

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