

BILL ANALYSIS

Senate Research Center
88R28058 MCF-F

H.B. 5405
By: Raymond (Zaffirini)
Local Government
5/19/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been suggested that an area in Webb County, outside of the extraterritorial jurisdiction of the City of Laredo, that is currently inside the boundaries of the Legacy Water Control and Improvement District would benefit from the conversion of the existing district to a management district.

H.B. 5405 would provide for the conversion of the existing district to a management district to improve services provided to the community.

H.B. 5405 amends current law relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District, 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. Provides that the Legacy Water Control and Improvement District is converted to the Legacy Municipal Management District (district) and is governed by Chapter 4008, Special District Local Laws Code, as added by this Act.

SECTION 2. Amends Subtitle C, Title 4, Special District Local Laws Code, by adding Chapter 4008, as follows:

CHAPTER 4008. LEGACY MUNICIPAL MANAGEMENT DISTRICT

Sets forth language for the creation of the district. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 4008.0101-4008.0108);

Size, composition, compensation, appointment, and terms of the board of directors of the district (board), including the naming of initial directors (Sections 4008.0201-4008.0207);

Powers and duties of the district (Sections 4008.0301-4008.0309);

General financial provisions and authority to impose assessments and taxes and to issue bonds and obligations for the district (Sections 4008.0401-4008.0506); and

Dissolution of the district by the board (Sections 4008.0901-0902).

Prohibits the district from exercising the power of eminent domain.

SECTION 3. Sets forth the initial boundaries of the district.

SECTION 4. Provides that the district retains all rights, powers, privileges, authority, duties, and functions that the district had before the effective date of this Act, except as otherwise expressly provided by Chapter 4008, Special District Local Laws Code, as added by this Act.

SECTION 5. (a) Provides that the legislature validates and confirms all governmental acts and proceedings of the district that were taken before the effective date of this Act.

(b) Provides that this section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or

(2) has been held invalid by a final court judgment.

SECTION 6. Provides that all requirements of the constitution and 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 7. Effective date: upon passage or September 1, 2023.