

BILL ANALYSIS

Senate Research Center

S.B. 2579
By: Zaffirini
Local Government
5/31/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Continuing development and growth in Guadalupe County have created the need for permanent improvements such as water supply and distribution facilities, wastewater collection and treatment facilities, drainage and flood control projects, and road facilities.

Accordingly, S.B. 2579 would create a municipal utility district to be known as Guadalupe County Municipal Utility District No. 8 to address the county's water service needs.

S.B. 2579 amends current law relating to the creation of the Guadalupe County Municipal Utility District No. 8, 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 7976A, as follows:

CHAPTER 7976A. GUADALUPE COUNTY MUNICIPAL UTILITY DISTRICT NO. 8

Sets forth standard language for the creation of the Guadalupe County Utility District No. 8 (district). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7976A.0101-7976.0106);

Size, composition, election, and terms of the board of directors of the district (Section 7976A.0103 and 7976A.0201-7976A.0202);

Powers and duties of the district (Sections 7976A.0301-7976A.0306); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7976A.0401-7976A.0503).

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. 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 4. (a) Amends Subchapter C, Chapter 7976A, 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 7976A.0307, as follows:

Sec. 7976A.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, on or after January 1, 2010, to enact a general, local, or special law granting the power of eminent domain to an entity in certain circumstances), Article I (Bill of Rights), Texas Constitution.

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