

BILL ANALYSIS

Senate Research Center
89R13120 SCR-F

H.B. 5652
By: Metcalf (Creighton)
Local Government
5/14/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The bill author has informed the committee of the need for a municipal utility district to be created in Montgomery County for the benefit of certain undeveloped land. H.B. 5652 seeks to provide for the creation of the Montgomery County Municipal Utility District No. 258.

H.B. 5652 amends current law relating to the creation of the Montgomery County Municipal Utility District No. 258, 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 8003A, as follows:

CHAPTER 8003A. MONTGOMERY COUNTY MUNICIPAL DISTRICT NO. 258

Sets forth standard language for the creation of the Montgomery County Municipal District No. 258 (district) in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

General provisions, creation, and approval of the district (Sections 8003A.0101-8003A.0106);

Size, composition, election, and terms of the board of directors of the district (Sections 8003A.0201-8003A.0202);

Powers and duties of the district (Sections 8003A.0301-8003A.0306); and

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 8003A.0401-8003A.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) Provides that, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C (Powers and Duties), Chapter 8003A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8003A.0307, as follows:

Sec. 8003A.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 certain laws granting the power of eminent domain to certain entities), Article I (Bill of Rights), Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2025.