

BILL ANALYSIS

Senate Research Center
89R20717 MP-F

H.B. 5655
By: Gates (Kolkhorst)
Administration
5/26/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Continuing growth and development in Fort Bend County has created the need for additional permanent drainage improvements.

H.B. 5655 creates the Fort Bend County Water Control and Improvement District No. 13 (district) under Chapter 51, Water Code, whose core function is to construct, own, finance, and operate drainage improvements. The district covers approximately 911 acres and is located in the unincorporated area of Fort Bend County. The district will also be able to construct, own, finance, and operate road and recreational facilities to serve the land in the district. As proposed, H.B. 5655 relates to the creation of the district, provides authority to impose a tax and issue bonds, and grants a limited power of eminent domain.

H.B. 5655 amends current law relating to the creation of the Fort Bend County Water Control and Improvement District No. 13, 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 I, Title 6, Special District Local Laws Code, by adding Chapter 9095, as follows:

CHAPTER 9095. FORT BEND COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 13

Sets forth standard language for the creation of the Fort Bend County Water Control and Improvement District No. 13 (district) in Fort Bend County. Sets forth standards, procedures, requirements, and criteria for:

General provisions, including the nature of the district, the requirements to confirm the creation of the district by election and to elect five permanent directors, consent to creation of the district by certain municipalities, the public purpose of the district, and the initial district territory (Sections 9095.0101-9095.0106);

Size, composition, election, and terms for the board of directors, including provisions related to initial temporary directors (Sections 9095.0201-9095.0202);

Powers and duties of the district (Sections 9095.0301-9095.0306); and

General financial provisions, including the authority to impose ad valorem tax once approved by voters at an election, and the authority to impose certain other taxes, bonds, and other obligations (Sections 9095.0401-9095.0504).

Prohibits the district from exercising the power of eminent domain outside the district boundaries to acquire a site or easement for a road project authorized by Section 9095.0303 or a recreational facility as defined by Section 49.462 (Definitions), 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 9095.0306, 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) Provides that, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 9095, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 9095.0306 to read as follows:

Sec. 9095.0306. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(c) Provides that this section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c) (relating to providing that the legislature is authorized to enact a general, local, or special law granting the power of eminent domain to an entity only on a two-thirds vote of all the members elected to each house), Article I (Bill of Rights), Texas Constitution.

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