

BILL ANALYSIS

C.S.H.B. 5661
By: Gates
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee of the need for a municipal utility district to be created in Fort Bend County for the benefit of certain undeveloped land. C.S.H.B. 5661 seeks to provide for the creation of the Fort Bend County Municipal Utility District No. 286.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 5661 amends the Special District Local Laws Code to create the Fort Bend County Municipal Utility District No. 286, subject to applicable municipal consent, a certain development agreement, and voter approval at a confirmation election. The bill, among other provisions, grants the district the power to undertake certain road projects and provides for the district's division and for a district website with certain public tax information. The bill authorizes the district, subject to certain requirements, to issue obligations and impose a property tax. The bill expressly prohibits the district from exercising the power of eminent domain if the bill does not receive a two-thirds vote of all the members elected to each house and establishes that this provision is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

C.S.H.B. 5661 establishes that all applicable requirements relating to the following have been fulfilled and accomplished with respect to the bill:

- the legal notice of intention to introduce;
- governor action;
- Texas Commission on Environmental Quality recommendations; and
- the state constitution and laws and legislative rules and procedures.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 5661 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the substitute provides for a development agreement between the district, the City of Rosenberg, and the owner or owners of a majority of the assessed value of real property in the district, the introduced provided for a development and operating agreement between those entities and contained a specification, which the substitute omits, that such agreement include any limitations imposed by the city.

Whereas the introduced provided for the appointment of temporary directors by landowner petition, the substitute names the temporary directors.

The introduced and the substitute differ with respect to the district's boundaries.