

BILL ANALYSIS

Senate Research Center
89R15109 SCR-F

H.B. 5665
By: Kitzman (Kolkhorst)
Local Government
5/21/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 5665 amends the Special District Local Laws Code to create Waller County Municipal Utility District No. 70 (district). The district will encompass approximately 209 acres located outside the ETJ of the City of Hempstead, in the unincorporated area of Waller County. H.B. 5665 gives the district the power to finance the construction of water, sewer and drainage facilities, and roads. The bill conforms to template for the creation of municipal utility districts adopted by the Texas Legislature. Notice of this bill, as required by Article XVI, Section 59(e), of the Texas Constitution, was provided to the county or counties within the boundaries in which the proposed district is to be wholly or partially located.

H.B. 5665 amends current law relating to the creation of the Waller County Municipal Utility District No. 70, 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 8019A, as follows:

CHAPTER 8019A. WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 70

Sets forth the standard language for the creation of the Waller County Municipal Utility District No. 70 (district) in Waller County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 8019A.0101-8019A.0106);

Size, composition, appointment, compensation, and terms of the board of directors of the district, including the naming of the initial directors (Sections 8019A.0201-8019A.0202);

Powers and duties of the district (Sections 8019A.0301-8019A.0306);

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 8019A.0401-8019A.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, Chapter 8019A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8019A.0307, as follows:

Sec. 8019A.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 providing that the legislature is authorized to enact a general, local, or special law granting the power of eminent domain only on a two-thirds vote), Article I, Texas Constitution.

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