

BILL ANALYSIS

Senate Research Center

S.B. 2251
By: Creighton
Local Government
5/2/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2251 amends the Special District Local Laws Code to create the Montgomery County Municipal Utility District No. 229, subject to municipal consent and voter approval at a confirmation election. The bill grants the district the power to undertake certain road projects and provides for the division of the district. The bill authorizes the district, subject to certain requirements, to issue obligations and impose property, operation and maintenance, and contract taxes. 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.

As proposed, S.B. 2251 amends current law relating to the creation of the Montgomery County Municipal Utility District No. 259, grants a limited power of eminent domain, provides authority to issue bonds, and provides authority to impose 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 ___, as follows:

CHAPTER ___. MONTGOMERY COUNTY MUNICIPAL DISTRICT NO. 259

Sets forth standard language for the creation of the Montgomery County Municipal District No. 259 (district) in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections ___.001-___.006);

Size, composition, election, and terms of the board of directors of the district (Sections ___.051-___.052);

Powers and duties of the district (Sections ___.101-___.103); and

General financial provisions and authority to impose taxes and to issue bonds and obligations for the district (Sections ___.151-___.203).

SECTION 2. Provides that the district initially includes all the territory contained in the following area:

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 ____, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section ____108, as follows:

Sec. ____108. 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 a general, local, or special law granting the power of eminent domain), Article I, Texas Constitution.

SECTION 5. Effective date: September 1, 2025.