

BILL ANALYSIS

Senate Research Center
89R10618 MP-F

S.B. 3038
By: Huffman
Local Government
5/14/2025
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 3038 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.

S.B. 3038 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.

As proposed, S.B. 3038 amends current law relating to the creation of the Fort Bend County Municipal Utility District No. 286, 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 8017A, as follows:

CHAPTER 8017A. FORT BEND COUNTY MUNICIPAL UTILITY
DISTRICT NO. 286

Sets forth standard language for the creation of the Fort Bend County Municipal Utility District (district) in Fort Bend County. Sets forth standards, procedures, requirements, and criteria for:

General provisions, creation, and approval of the district (Sections 8017A.0101-8017A.0106);

Size, composition, election, and terms of the board of directors of the district (Sections 8017A.0201-8017A.0202);

Powers and duties of the district (Sections 8017A.0301-8017A.0307); and

Authority to issue bonds and obligations for the district (Sections 8017A.0401-8017A.0402).

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 8017A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8017A.0308, as follows:

Sec. 8017A.0308. 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 certain 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.