

BILL ANALYSIS

C.S.H.B. 4708
By: Sanford
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There have been calls to codify and amend the powers and duties of the Lakehaven Municipal Utility District to help the district better serve the local community. C.S.H.B. 4708 seeks to achieve this goal.

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. 4708 amends the Special District Local Laws Code to establish provisions relating to the Lakehaven Municipal Utility District. The bill grants the district the power to undertake certain road projects and to enforce or contract to enforce certain animal control ordinances and provides for the district to issue bonds payable from property taxes to finance a road project under certain circumstances. The bill authorizes the district, subject to certain requirements and a condition precedent, to issue obligations and impose property taxes. The bill establishes that the City of Farmersville has exclusive authority in the district to issue all building permits, certificates of occupancy, and permits or certificates issued by the city related to business activities, subject to a maximum fee and the terms of a development agreement. The bill establishes that the district retains all rights, powers, privileges, authority, duties, and functions that it had before the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4708 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a definition of "city" as the City of Farmersville, Texas.

The substitute includes an authorization for the district to enforce in the district animal control ordinances adopted by the city and to contract with the city to enforce such an ordinance in the same manner as the ordinance is enforced in the corporate limits of the city.

The substitute conditions the authorization for the district to issue bonds or obligations on whether the district has entered into a contract with the city, Collin County, or another entity for certain services for the district. The substitute includes provisions relating to such a contract.

The substitute includes provisions:

- establishing that the city has exclusive authority in the district to issue certain permits and certificates;
- capping the fee on such permits and certificates, and
- subjecting the permits and certificates to the terms of a development agreement.