

BILL ANALYSIS

C.S.H.B. 4611
By: Metcalf
Land & Resource Management
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that undeveloped land located within the City of Conroe would benefit from the creation of a municipal utility district. C.S.H.B. 4611 seeks to provide for the creation of such a district.

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. 4611 amends the Special District Local Laws Code to create the Montgomery County Municipal Utility District No. 206, 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 certain compliance with a municipal consent ordinance or resolution and the certain effect of annexation by the City of Conroe. The bill authorizes the district, subject to certain requirements, to issue obligations and impose property, operation and maintenance, and contract taxes. If the bill receives a two-thirds vote of all the members elected to each house, the bill prohibits the district from exercising the power of eminent domain outside the district without the city's written consent. If the bill does not receive such a vote, the bill expressly prohibits the district from exercising the power of eminent domain.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4611 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 specifies a chapter number for the chapter being added by the bill whereas the original does not specify a chapter number.

The substitute differs from the original with respect to the temporary directors. Whereas the original does not name the temporary directors, the substitute authorizes the owner or owners of

a majority of the assessed value of the real property in the district to submit a petition to the Texas Commission on Environmental Quality (TCEQ) requesting that TCEQ appoint as temporary directors the five persons named in the petition and the substitute requires TCEQ to do so.