

BILL ANALYSIS

Senate Research Center
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S.B. 1796
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Intergovernmental Relations
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As Filed

DIGEST AND PURPOSE

Currently, the Baybrook Municipal Utility District provides water, sewage, and drainage infrastructure to serve commercial development around the Baybrook Mall in southeast Houston. As proposed, S.B. 1796 authorizes the district to exercise road utility district authority to construct and finance certain road projects.

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. AUTHORITY. Grants certain powers and authority to the Baybrook Municipal Utility District (district).

SECTION 2. DEFINITIONS. Defines "board," "city," and "district."

SECTION 3. FINDING OF BENEFIT. Sets forth legislative findings.

SECTION 4. EXEMPTION FROM CERTAIN LAW. Exempts the district from the requirements of Chapter 441B (Creation of District) or 441C (Acquisition of District Powers by Conservation and Reclamation District), Transportation Code.

SECTION 5. POWERS. Sets forth the rights, powers, privileges, authority, duties, and functions of the district. Provides that if any provision of general law is in conflict or inconsistent with this Act or Chapter 49 (Provisions Applicable to All Districts) or 54 (Municipal Utility Districts), Water Code, this Act and Chapter 49 and 54, Water Code, prevail. Provides that this Act prevails in any conflict with Chapter 49 or 54, Water Code.

SECTION 6. PROJECTS. Sets forth projects authorized under this Act and requirements relating to those projects. Authorizes the district to convey a completed project to the City of Houston (city). Requires the city, if a project is conveyed to it, to be responsible for all future maintenance and upkeep, and releases the district from any further responsibility for the project, its maintenance, or its upkeep.

SECTION 7. BONDS. Authorizes the district to issue bonds, notes, and other obligations. Sets forth requirements regarding the issuance of bonds, notes, and other obligations.

SECTION 8. MAINTENANCE TAX. Authorizes the district to impose a maintenance tax not to exceed a certain amount, contingent on approval by the voters of the district.

SECTION 9. DISTRICT CONTRACTS. Authorizes the district to make contracts in the same manner as a road utility district under Chapter 441E (Powers and Duties), Transportation Code.

SECTION 10. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS. Provides that all procedural requirements regarding the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 11. Effective date: upon passage or September 1, 2001.