

BILL ANALYSIS

Senate Research Center

S.B. 860
By: Hegar
Intergovernmental Relations
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the land located within the boundaries of the proposed Fort Bend-Waller Counties Municipal Utility District No. 2 (district) is undeveloped. The territory of the district would lie partially in the corporate limits of the City of Katy and partially in the extraterritorial jurisdiction of the City of Houston. The district would also be partially located within Fort Bend County as well as partially located within Waller County, Texas.

S.B. 860 creates the Fort Bend-Waller Counties Municipal Utility District No. 2. This district would have all of the powers granted to municipal utility districts operating pursuant to Chapters 49 (Provisions Applicable to All Districts) and 54 (Municipal Utility Districts), Texas Water Code, with road powers Pursuant to Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III of the Texas Constitution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 8329, as follows:

CHAPTER 8329. FORT BEND-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 2

Sets forth standard language for the creation of the Fort Bend-Waller Counties Municipal Utility District No. 2 (district) in the counties of Fort Bend and Waller. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8329.001-8329.005);

Size, composition, election, and terms of the board of directors of the district (Sections 8329.006-8329.100);

Powers and duties of the district (Sections 8329.101-8329.150); and

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 8329.151-8329.203).

Prohibits the exercise of the power of eminent domain outside the district by the district to acquire a site or easement for a road project under Section 8329.106 or a recreational facility as defined by Section 49.462 (Definitions), Water Code.

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that all requirements of the constitution and the 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. Effective date: upon passage or September 1, 2009.