

BILL ANALYSIS

Senate Research Center
83R4755 AED-F

S.B. 608
By: Hegar
Intergovernmental Relations
3/11/2013
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 608 creates Harris-Waller Counties Municipal Utility District No. 3 (district) as a political subdivision of the State of Texas. The district will construct and finance water, sewer, drainage, road, and recreational facilities to serve property within the district, which is located within the corporate limits and extraterritorial jurisdiction of the City of Katy, in Harris and Waller Counties. The district will be a municipal utility district operating pursuant to Chapters 49 (Provisions Applicable to All Districts) and 54 (Municipal Utility Districts), Water Code.

As proposed, S.B. 608 amends current law relating to the creation of the Harris-Waller Counties Municipal Utility District No. 3, and provides authority to impose a tax and issue bonds, and grants a limited power of eminent domain.

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 8431, as follows:

CHAPTER 8431. HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3

Sets forth standard language for the creation of the Harris-Waller Counties Municipal District No. 3 (district) in Harris and Waller County. Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 8431.001-8431.006);

Size, composition, election, and terms of the board of directors, including the appointment of temporary directors (Sections 8431.051-8431.052);

Powers and duties of the district (Sections 8431.101-8431.105); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 8431.151-8431.203).

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. (a) Amends Subchapter C, Chapter 8431, Special District Local Laws Code, as added by Section 1 of this Act, if this Act does not receive a two-thirds vote of all the members elected to each house, by adding Section 8431.106, as follows:

Sec. 8431.106. 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 limited eminent domain only on a two-thirds vote of all members elected to each house), Article I, Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2013.