

BILL ANALYSIS

Senate Research Center

H.B. 4159
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, certain land located in Bell County, Texas, is undeveloped. Interested parties suggest that the land would benefit from the creation of a municipal utility district to provide for the construction of water, wastewater, and drainage facilities and road improvements. H.B. 4159 seeks to provide for the creation of the district.

H.B. 4159 amends the Special District Local Laws Code to create the Bell County Municipal Utility District No. 3, subject to voter approval at a confirmation election and municipal consent. The bill grants the district the power to undertake certain road projects and provides for the division of the district. The bill authorizes the district, subject to certain requirements, to issue obligations and impose property, operation and maintenance, and contract taxes. The bill, if it does not receive a two-thirds vote of all the members elected to each house, prohibits the district from exercising the power of eminent domain.

H.B. 4159 amends current law relating to the creation of the Bell County Municipal Utility District No. 3, grants a limited power of eminent domain, provides authority to issue bonds, and provides authority to impose assessments, fees, and taxes.

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 7936, as follows:

CHAPTER 7936. BELL COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

Sets forth standard language for the creation of the Bell County Municipal Utility District (district) in Bell County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7936.001-7936.006);

Size, composition, terms, and temporary directors for the board of directors (Sections 7936.051 and 7936.052);

Powers and duties of the district (Sections 7936.101-7936.106); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Section 7936.151-7936.153 and Sections 7936.201-7936.203).

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 7936, 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 7936.107, as follows:

Sec. 7936.107. 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), Article I, Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2015.