

BILL ANALYSIS

Senate Research Center
85R17834 TSR-F

H.B. 1455
By: Bohac (Whitmire)
Intergovernmental Relations
5/16/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1455 creates Harris County Municipal Utility District No. 552 (district) containing approximately 151 acres of land in Harris County on the site of a former golf course no longer in operation. The bill would authorize the proposed district, if confirmed at an election, to finance the construction of facilities to provide water, wastewater, drainage, and road services to the tract so that a mixed use residential and commercial development could be undertaken on the former golf course property. The legislation contains the usual "template" provisions regarding the naming of directors for the proposed district, the powers of the proposed district and general financial provisions. As water and sewer service to the tract will be furnished by the City of Houston, the legislation also includes a provision regarding water and sewer rates to ensure that rates for those items will be equal and uniform.

H.B. 1455 amends current law relating to the creation of the Harris County Municipal Utility District No. 552, 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 7978, as follows:

CHAPTER 7978. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 552

Sets forth standard language for the creation of the Harris County Municipal Utility District No. 552 (district) in Harris County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7978.001-7978.050);

Size, composition, election, and terms of the board of directors of the district, including provisions for temporary directors (Sections 7978.051-7978.100);

Powers and duties of the district (Sections 7978.101-7978.150); and

General financial provisions and authority to impose taxes and to issue bonds and obligations for the district (Sections 7978.151-7978.250).

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

SECTION 3. Provides that all requirements of the constitution and 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) Provides that Section 7978.106, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) Provides that if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7978, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7978.106, as follows:

Sec. 7978.106. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(c) 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, 2017.