

BILL ANALYSIS

Senate Research Center

H.B. 4298
By: Oliverson (Bettencourt)
Administration
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4298 proposes the creation of Harris County Municipal Utility District No. 553 (district) containing approximately 267 acres of land in northwest Harris County near the intersection of US 290 and the Grand Parkway.

The planned development on the acreage contained within the proposed district will be a mix of commercial and industrial distribution facilities, and the developers are working with the Harris County Flood Control District to provide a much-needed regional detention facility on the property to benefit downstream landowners.

H.B. 4298 amends current law relating to the creation of the Harris County Municipal Utility District No. 553, 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 7997, as follows:

CHAPTER 7997. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 553

Sets forth standard language for the creation of Harris County Municipal Utility District No. 553 (district). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7997.001-7997.050);

Size, composition, election, and terms of the board of directors of the district (Sections 7997.051-7997.100);

Powers and duties of the district (Sections 7997.101-7997.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7997.151-7997.203).

Prohibits the district from exercising the power of eminent domain outside the district to acquire a site or easement for a road project authorized by Section 7997.103 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. (a) Provides that Section 7997.106, 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 7997, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7997.106, as follows:

Sec. 7997.106. 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) (relating to the legislature enacting a general, local, or special law granting power of eminent domain to an entity only on a two-thirds vote of all the members elected to each house), Article I (Bill of Rights), Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2017.