

BILL ANALYSIS

Senate Research Center
85R27069 TSR-F

C.S.S.B. 2284
By: Creighton
Intergovernmental Relations
5/1/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2284 creates Harris County Municipal Utility District No. 544 (district), an approximately 138.03 acre municipal utility district (MUD) located partially within the extraterritorial jurisdiction of the City of Houston.

The land for the proposed district currently resides within the boundaries of Harris County Fresh Water Supply District No. 58. The district cannot be created until the 138.03 acres tract is excluded from Harris County Fresh Water Supply District No. 58, as provided by S.B. 2285.

The legislation follows template language for creation of MUDs. (Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 2284 amends current law relating to the creation of the Harris County Municipal Utility District No. 544, 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 7924, as follows:

CHAPTER 7924. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 544

Sets forth standard language for the creation of the Harris County Municipal Utility District No. 544 (district). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7924.001-7924.050);

Size, composition, election, and terms of the board of directors of the district, including temporary directors (Sections 7924.051-7924.100);

Powers and duties of the district (Sections 7924.101-7924.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7924.151-7924.203).

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) Provides that, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7924, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7924.106, as follows:

Sec. 7924.106. 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 the legislature enacting a general, local, or special law granting the 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.