

BILL ANALYSIS

Senate Research Center

S.B. 2287
By: Creighton
Intergovernmental Relations
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2287 amends the provisions of Chapter 8326 of the Special District Local Laws Code to add “broad” road financing powers to the existing Harris County Municipal Utility District No. 525 (district).

The district was created by the legislature in 2009 and at that time provided with the power to finance the construction and maintenance of roads pursuant to Section 54.234 of the Water Code, now known as “limited road powers.”

The district now requires the ability to finance the construction and maintenance of roads using “broad” road powers in conjunction with development in the district located east of Lake Houston. S.B. 2287 provides the district with those powers.

S.B. 2287 amends current law relating to the powers and duties of the Harris County Municipal Utility District No. 525.

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 Section 8326.005(b), Special District Local Laws Code, as follows:

(b) Provides that the Harris County Municipal Utility District No. 525 (district) is created to accomplish certain purposes, including the operation, maintenance, or improvement of macadamized, graveled, or paved roads, rather than improvement of macadamized, graveled, or paved roads described by Section 54.234 (Acquiring Road Powers), Water Code.

SECTION 2. Amends Section 8326.103(a), Special District Local Laws Code, to authorize the district, under Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III (Legislative Department), Texas Constitution, to design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads or improvements, including storm drainage, in aid of those roads, and to make a conforming change.

SECTION 3. Amends Subchapter C, Chapter 8326, Special District Local Laws Code, by adding Section 8326.1045, as follows:

Sec. 8326.1045. ROAD STANDARDS AND REQUIREMENTS. (a) Requires that a road project meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) Requires that the road project, if a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) Requires the Texas Transportation Commission, if the state will maintain and operate the road, to approve the plans and specifications of the road project.

SECTION 4. Repealer: Section 8326.104 (Approval of Road Project), Special District Local Laws Code.

SECTION 5. Provides that the district retains all the rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

SECTION 6. (a) Provides that the legislature validates and confirms all governmental acts and proceedings of the district that were taken before the effective date of this Act.

(b) Provides that this section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgement; or

(2) has been invalid by a final court judgment.

SECTION 7. 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 8. Effective date: upon passage or September 1, 2017.