

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 2472
By: Kolkhorst
Intergovernmental Relations
5/3/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2472 creates the Richfield Ranch Water Control and Improvement District of Harris County, Texas (district) under Chapter 51, Water Code, whose core function is to construct, own, and operate drainage improvements. The district covers approximately 514 acres and is located in the extraterritorial jurisdiction of the City of Houston and within Harris County. The district relates to a larger tract to be developed as a master planned community to be known as Richfield Ranch, which will consist of single family and commercial development.

As proposed, S.B. 2472 relates to the creation of the district, provides authority to impose a tax and issue bonds, and grants a limited power of eminent domain.

The committee substitute differs from the filed version of S.B. 2472 by specifically authorizing district purposes and powers related to the gathering, conducting, diverting, and control of stormwater and other harmful excess water.

C.S.S.B. 2472 amends current law relating to the creation of the Richfield Ranch Water Control and Improvement District of Harris County, Texas; 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 I, Title 6, Special District Local Laws Code, by adding Chapter 9086, as follows:

CHAPTER 9086. RICHFIELD RANCH WATER CONTROL AND IMPROVEMENT DISTRICT OF HARRIS COUNTY, TEXAS

Sets forth standard language for the creation of the Richfield Ranch Water Control and Improvement District of Harris County, Texas (district) in Harris County. Sets forth standards, requirements, procedures, and criteria for:

Creation, approval, purpose, and territory of the district (Sections 9086.0101–9086.0106);

Size, composition, election, and terms of the board of directors of the district and provisions relating to the appointment of temporary directors (Sections 9086.0201–9086.0202);

Powers and duties of the district, including a limited power of eminent domain (Sections 9086.0301–9086.0306);

General financial provisions and authority to impose taxes (Sections 9086.0401–9086.0403); and

Authority to issue bonds and other obligations for the district (Sections 9086.0501–9086.0504).

Prohibits the district from exercising a limited power of eminent domain outside the district boundaries to acquire a site or easement for a recreational facility or a road project.

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) Makes application of Section 9086.0306, Special District Local Laws Code, as added by Section 1 of this Act, contingent upon this Act receiving a two-thirds vote of all 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 I, Chapter 9086, Special District Local Laws Code, as added by this Section 1 of this Act, is amended by adding Section 9086.0306, as follows:

Sec. 9086.0306. 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, 2019.