

BILL ANALYSIS

Senate Research Center
86R7293 AAF-F

S.B. 2478
By: Kolkhorst
Intergovernmental Relations
5/2/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Harris County Municipal Utility District No. 378 (district) encompasses an area within the extraterritorial jurisdiction of the City of Houston. The land located within the district is in need of new and expanded road facilities to accommodate development. S.B. 2478 authorizes the district to impose taxes and issue bonds and obligations to provide road facilities to the district.

As proposed, S.B. 2478 amends current law relating to the powers and duties of the Harris County Municipal Utility District No. 378 and provides authority to issue bonds.

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 8032, as follows:

CHAPTER 8032. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 378 SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8032.0001. DEFINITION. Defines "district" as the Harris County Municipal District No 378 (district).

Sec. 8032.0002. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) Provides that the district is created to serve a public purpose and benefit.

(b) Provides that the district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59 (Conservation and Development of Natural Resources; Development of Parks and Recreational Facilities; Conservation and Reclamation Districts; Indebtedness and Taxation Authorized), Article XVI, Texas Constitution; and

(2) Section 52 (Restrictions on Lending Credit or Making Grants by Political Corporations or Political Subdivisions; Authorized Bonds; Investment of Funds), Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8032.0051. AUTHORITY FOR ROAD PROJECTS. Authorizes the district, under Section 52, Article III, 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.

Sec. 8032.0052. ROAD STANDARDS AND REQUIREMENTS. (a) Requires a road project to 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 the road project, if a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, to 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.

SUBCHAPTER C. BONDS

Sec. 8032.0101. BONDS FOR ROAD PROJECTS. Prohibits, at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes from exceeding one-fourth of the assessed value of the real property in the district.

SECTION 2. 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 3. Effective date: upon passage or September 1, 2019.