

## **BILL ANALYSIS**

Senate Research Center  
87R9490 SGM-F

H.B. 4589  
By: Sanford (Springer)  
Local Government  
5/19/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 4589 creates LC Municipal Utility District No. 1 of Collin County (district). The district will encompass approximately 109.980 acres of land located within Collin County, Texas. The district is located within the extraterritorial jurisdiction of the City of Lowry Crossing, Texas. H.B. 4589 is a standard template bill and provides for water, sewer, drainage, and road facilities (facilities), which need to be secured because the land to be located within the district will be developed for residential purposes. H.B. 4589 follows the template in all regards, except that it provides the district with the authority to divide into two or more districts. The district is created under Water Code provisions applicable to all water districts and to municipal utility districts and under constitutional provisions relating to conservation and reclamation districts. The district will have standard road powers and must comply with all applicable road standards. The district will have the authority to issue tax-exempt bonds to purchase, acquire, or construct the facilities. It is also necessary to empower the district with authority to impose a tax and to grant the district a limited power of eminent domain. The bill provides for the creation, administration, powers, duties, operation, and financing of the district.

H.B. 4589 amends current law relating to the creation of the LC Municipal Utility District No. 1 of Collin County, grants a limited power of eminent domain, provides authority to issue bonds, and provides authority to impose 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 7908A, as follows:

#### CHAPTER 7908A. LC MUNICIPAL UTILITY DISTRICT NO. 1 OF COLLIN COUNTY

Sets forth standard language for the creation of the LC Municipal Utility District No. 1 (district) in Collin County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district and findings of public purpose and benefit (Sections 7908A.0101-7908A.0106);

Size, composition, election, and terms of the board of directors of the district, including temporary directors (Sections 7908A.0201-7908A.0202);

Powers and duties of the district (Sections 7908A.0301-7908A.0306); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7908A.0401-7908A.0503).

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. 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 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 7908A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7908A.0307 to read as follows:

Sec. 7908A.0307. 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), Article I, Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2021.