

## **BILL ANALYSIS**

Senate Research Center  
87R20722 ANG-F

H.B. 4611  
By: Metcalf (Creighton)  
Local Government  
5/17/2021  
Engrossed

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

H.B. 4611 amends current law relating to the creation of the Montgomery County Municipal Utility District No. 206; granting a limited power of eminent domain; providing authority to impose a tax and 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 7928A, as follows:

#### CHAPTER 7928A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 206

Sets forth standard language for the creation of the Montgomery County Municipal Utility District No. 206 (district) in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of and public purpose for the district (Sections 7928A.0101-7928A.0106);

Size, composition, appointment, and compensation and reimbursement of expenses for the board of directors, including composition of the initial board (Sections 7928A.0201-7928A.0202);

Powers and duties of the district (Sections 7928A.0301-7928A.0307); and

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 7928A.0401-7928A.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 Section 7928A.0307, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the 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 C, Chapter 7928A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7928A.0307, as follows:

Sec. 7928A.0307. 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, 2021.