

BILL ANALYSIS

C.S.H.B. 4175
By: Thompson, Senfronia
Special Purpose Districts
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The comptroller of public accounts collects information from entities authorized to exercise the power of eminent domain in order to compile a list of those entities and the legal authority granting eminent domain power to each entity. The goal of C.S.H.B. 4175 is to ensure that the comptroller has accurate information regarding certain conservation and reclamation districts that are authorized to exercise the power of eminent domain.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4175 amends the Special District Local Laws Code to authorize the following districts to exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter to the comptroller of public accounts stating that the district is authorized by the state to exercise the power of eminent domain and identifying each provision of law that grants the district that authority if the district submits the letter by certified mail, return receipt requested, not later than December 31, 2015:

- Harris County Municipal Utility District No. 5 of Harris County
- Harris County Municipal Utility District No. 61
- Harris County Municipal Utility District No. 150
- Harris County Municipal Utility District No. 211 of Harris County
- Harris County Municipal Utility District No. 483
- Harris County Municipal Utility District No. 484
- Harris County Municipal Utility District No. 485
- Liberty County Municipal Utility District No. 2
- Liberty County Municipal Utility District No. 3
- Post Wood Municipal Utility District
- West Park Municipal Utility District
- East Montgomery County Municipal Utility District No. 8

- East Montgomery County Municipal Utility District No. 9
- East Montgomery County Municipal Utility District No. 10
- East Montgomery County Municipal Utility District No. 11
- East Montgomery County Municipal Utility District No. 12
- East Montgomery County Municipal Utility District No. 13
- East Montgomery County Municipal Utility District No. 14
- Montgomery County Municipal Utility District No. 100
- Montgomery County Municipal Utility District No. 101
- Encanto Real Utility District
- Liberty County Municipal Utility District No. 5
- East Montgomery County Municipal Utility District No. 3
- Harris County Municipal Utility District No. 233
- CNP Utility District
- Harris County Utility District No. 16
- East Montgomery County Municipal Utility District No. 4
- Harris County Water Control and Improvement District No. 119

EFFECTIVE DATE

If the bill receives the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4175 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. CERTAIN MUNICIPAL UTILITY DISTRICTS. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapters 7937, 7938, 7939, 7940, 7941, 7942, 7943, 7944, 7946, 7947, 7948, and 7949 to read as follows:

SECTION 1. CERTAIN MUNICIPAL UTILITY DISTRICTS. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapters 7937, 7939, 7940, 7941, 7942, 7943, 7944, 7946, 7947, 7948, and 7949 to read as follows:

CHAPTER 7937. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

CHAPTER 7937. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 OF HARRIS COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7937.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 5.

Sec. 7937.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 5 of Harris County.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7937.051. EMINENT DOMAIN.

CHAPTER 7938. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 16

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7938.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 16.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7938.051. EMINENT DOMAIN.

CHAPTER 7939. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61

SUBCHAPTER A. GENERAL PROVISIONS

CHAPTER 7940. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150

CHAPTER 7941. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 211

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7941.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 211.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7941.051. EMINENT DOMAIN.

CHAPTER 7942. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 483

CHAPTER 7943. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 484

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7937.051. EMINENT DOMAIN.

SECTION 16. HARRIS COUNTY UTILITY DISTRICT NO. 16. Subchapter C, Chapter 8277, Special District Local Laws Code, is amended by adding Section 8277.102 to read as follows:

Sec. 8277.102. EMINENT DOMAIN.

CHAPTER 7939. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61

SUBCHAPTER A. GENERAL PROVISIONS

CHAPTER 7940. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150

CHAPTER 7941. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 211 OF HARRIS COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7941.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 211 of Harris County.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7941.051. EMINENT DOMAIN.

CHAPTER 7942. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 483

CHAPTER 7943. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 484

CHAPTER 7944. HARRIS COUNTY
MUNICIPAL UTILITY DISTRICT NO.
485

CHAPTER 7946. LIBERTY COUNTY
MUNICIPAL UTILITY DISTRICT NO. 2

CHAPTER 7947. LIBERTY COUNTY
MUNICIPAL UTILITY DISTRICT NO. 3

CHAPTER 7948. POST WOOD
MUNICIPAL UTILITY DISTRICT

CHAPTER 7949. WEST PARK
MUNICIPAL UTILITY DISTRICT

SECTION 2. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 8. Subchapter C, Chapter 8112, Special District Local Laws Code, is amended.

SECTION 3. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 9. Subchapter C, Chapter 8113, Special District Local Laws Code, is amended.

SECTION 4. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 10. Subchapter C, Chapter 8114, Special District Local Laws Code, is amended.

SECTION 5. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 11. Subchapter C, Chapter 8115, Special District Local Laws Code, is amended.

SECTION 6. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 12. Subchapter C, Chapter 8116, Special District Local Laws Code, is amended.

SECTION 7. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 13. Subchapter C, Chapter 8117, Special District Local Laws Code, is amended.

SECTION 8. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 14. Subchapter C, Chapter

CHAPTER 7944. HARRIS COUNTY
MUNICIPAL UTILITY DISTRICT NO.
485

CHAPTER 7946. LIBERTY COUNTY
MUNICIPAL UTILITY DISTRICT NO. 2

CHAPTER 7947. LIBERTY COUNTY
MUNICIPAL UTILITY DISTRICT NO. 3

CHAPTER 7948. POST WOOD
MUNICIPAL UTILITY DISTRICT

CHAPTER 7949. WEST PARK
MUNICIPAL UTILITY DISTRICT

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.

SECTION 6. Same as introduced version.

SECTION 7. Same as introduced version.

SECTION 8. Same as introduced version.

8118, Special District Local Laws Code, is amended.

SECTION 9. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 100. Section 8119.103, Special District Local Laws Code, is amended.

SECTION 9. Same as introduced version.

SECTION 10. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 101. Section 8120.103, Special District Local Laws Code, is amended.

SECTION 10. Same as introduced version.

SECTION 11. ENCANTO REAL UTILITY DISTRICT. Subchapter C, Chapter 8161, Special District Local Laws Code, is amended.

SECTION 11. Same as introduced version.

SECTION 12. LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 5. Subchapter C, Chapter 8185, Special District Local Laws Code, is amended.

SECTION 12. Same as introduced version.

SECTION 13. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 3. Subchapter C, Chapter 8186, Special District Local Laws Code, is amended.

SECTION 13. Same as introduced version.

SECTION 14. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 233 OF HARRIS COUNTY, TEXAS. Subchapter C, Chapter 8192, Special District Local Laws Code, is amended.

SECTION 14. Same as introduced version.

SECTION 15. CNP UTILITY DISTRICT. Section 8270.153, Special District Local Laws Code, is amended.

SECTION 15. Same as introduced version.

SECTION 16. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 4. Subchapter C, Chapter 8308, Special District Local Laws Code, is amended.

SECTION 17. Same as introduced version.

SECTION 17. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 119. Subtitle I, Title 6, Special District Local Laws Code, is amended.

SECTION 18. Same as introduced version.

SECTION 18. EFFECTIVE DATE. As provided by Section 17(c), Article I, Texas Constitution, this Act takes effect only on a two-thirds vote of all the members elected to

SECTION 19. Same as introduced version.

each house. If this Act receives the vote necessary to take effect, this Act takes effect September 1, 2015.