

## **BILL ANALYSIS**

Senate Research Center  
80R8457 SGA-F

H.B. 4074  
By: Eissler (Williams)  
Intergovernmental Relations  
5/15/2007  
Engrossed

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

Continuing development and growth in southern Montgomery County has created the need for large-scale, permanent improvements such as water supply and distribution facilities, wastewater collection and treatment facilities, drainage and flood control projects, recreational facilities, and major thoroughfare improvements.

Pursuant to Article XVI, Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), and Article III, Section 52 (Counties, Cities, or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), of the Texas Constitution, and subject to the continuing supervisory jurisdiction of the Texas Commission on Environmental Quality, H.B. 4074 creates a municipal utility district, with additional limited road powers, to be known as Montgomery County Municipal Utility District No. 102, over a tract of land containing 798.412 acres of land in southern Montgomery County.

### **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 8263, as follows:

#### CHAPTER 8263. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 102

Sets forth the standard language for the creation of the Montgomery County Municipal Utility District No. 102 (district). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8263.001-8263.050);

Size, composition, election, and terms of the board of directors of the district (Sections 8263.051-8263.100);

Powers and duties of the district (Sections 8263.101-8263.150); and

General financial provisions and authority to issue bonds and obligations for the district (Sections 8263.151-8263.204).

Authorizes the use of eminent domain by the district, but limits its use with respect to recreational facilities.

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. Sets forth legislative findings.

SECTION 5. Effective date: upon passage or September 1, 2007.