

BILL ANALYSIS

Senate Research Center
81R17834 PMO-F

H.B. 4754
By: Kuempel (Wentworth)
Intergovernmental Relations
5/14/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a tract of land within Guadalupe county does not have a municipal utility district.

H.B. 4754 creates the Guadalupe County Municipal Utility District No. 3 (district) and provides for the administration, powers, duties, operation, and financing of the district. The bill empowers the district to purchase, acquire, and construct infrastructure, including roads, to serve the future occupants of the district and grants a limited power of eminent domain.

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 8358, as follows:

CHAPTER 8358. GUADALUPE COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

Sets forth standard language for the creation of the Guadalupe County Municipal Utility District No. 3 (district) in Guadalupe County. Sets forth standards, procedures, requirements, and criteria for:

General provisions of the district (Sections 8358.001-8358.050);

Board of directors of the district (Sections 8358.051-8358.100);

Powers and duties of the district (Sections 8358.101-8358.150); and

General financial provisions and authority to issue bonds and other obligations for the district (Sections 8358.151-8358.203).

Prohibits the district from exercising the power of eminent domain outside the district to acquire a site or easement for a road project authorized by Section 8358.103 (Authority for Road Projects) or a recreational facility as defined by Section 49.462 (Definitions), Water Code.

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. Effective date: upon passage or September 1, 2009.