

## **BILL ANALYSIS**

Senate Research Center  
85R7685 AAF-F

H.B. 1962  
By: Thompson, Ed (Taylor, Larry)  
Administration  
5/2/2017  
Engrossed

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

H.B. 1962 amends current law relating to the creation of the Brazoria County Municipal Utility District No. 69, grants a limited power of eminent domain, provides authority to issue bonds, and provides authority to impose assessments, 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 7970, as follows:

#### CHAPTER 7970. BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 69

Sets forth standard language for the creation of the Brazoria County Municipal Utility District No. 69 (district) in Brazoria County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7970.001-7970.050);

Size, composition, election, and terms of the board of directors of the district, including provisions for initial temporary directors (Sections 7970.051-7970.100);

Powers and duties of the district (Sections 7970.101-7970.150); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7970.151-7970.203).

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. (a) Amends Subchapter C, Chapter 7970, Special District Local Laws Code, as added by Section 1 of this Act, by adding Section 7970.106, if this Act does not receive a two-thirds vote of all the members elected to each house, as follows:

Sec. 7970.106. 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) (relating to the legislature enacting certain laws granting eminent domain), Article I (Bill of Rights), Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2017.