

BILL ANALYSIS

Senate Research Center
85R22899 GRM-F

H.B. 4340
By: Wilson (Schwertner)
Administration
5/22/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Relating to the creation of the Williamson County Municipal Utility District No. 34; granting a limited power of eminent domain; providing authority to issue bonds; providing 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 8008, as follows:

CHAPTER 8008. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 34

Sets forth standard language for the creation of the Williamson County Municipal Utility District No. 34 (district). Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8008.001-8008.050);

Size, composition, election, and terms of the board of directors of the district, including provisions for temporary directors (Sections 8008.051-8008.100);

Powers and duties of the district (Sections 8008.101-8008.150);

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 8008.151-8008.203); and

Prohibits the district from exercising the power of eminent domain.

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) Provides that Section 8008.106 (Limitation on Use of Eminent Domain), 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 (Powers and Duties), Chapter 8008, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8008.106, as follows:

Sec. 8003.106. 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) (relating to authorizing the legislature to enact a general, local, or special law granting the power of eminent domain), Article I (Bill of Rights), Texas Constitution.

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