

## **BILL ANALYSIS**

Senate Research Center  
85R5547 DMS-F

S.B. 2251  
By: Kolkhorst  
Intergovernmental Relations  
4/21/2017  
As Filed

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

S.B. 2251 proposes the creation of a municipal utility district to be known as Fort Bend County Municipal Utility District No. 224 (district), to provide water, wastewater, drainage, recreational and road improvements for this tract of land. The district will contain approximately 178 acres of land located in the unincorporated area of Fort Bend County.

All of the property in the proposed district is owned by Pecan Acres Creek, L.L.C., a longtime family landowner that is seeking the creation of the district to prepare the property for development.

S.B. 2251 conforms in all respects to the agreed template for the creation of municipal utility districts adopted by the Texas Legislature.

As proposed, S.B. 2251 amends current law relating to the creation of the Fort Bend County Municipal Utility District No. 224, 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 7969, as follows:

#### CHAPTER 7969. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 224

Sets forth standard language for the creation of the Fort Bend County Municipal Utility District No. 224 (district), in Fort Bend County. Sets forth definitions, standards, procedures, requirements, and criteria for:

Creation, nature, requirements to confirm the creation of the district by election and to elect five permanent directors, consent to creation of the district by certain municipalities, public purpose, and initial territory of the district (Sections 7969.001-7969.050);

Size, composition, and qualifications of the board of directors, including provisions related to initial temporary directors (Sections 7969.051-7969.100);

Powers and duties of the district (Sections 7969.101-7969.150);

General financial provisions and authority to impose certain taxes and bonds (Sections 7969.151-7969.200); and

Authority to issue certain bonds and other obligations (Sections 7969.201-7969.203).

SECTION 2. Sets forth the initial boundaries of the district.

SECTION 3. Provides that all requirements of the constitutions 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 7969, Special District Local Laws Code, as added by Section 1 of this Act, if this Act does not receive a two-thirds vote of all the members elected to each house, by adding Section 7969.106, as follows:

Sec. 7969.106. 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 authority of the legislature to enact a certain law granting the power of eminent domain to a certain entity on a certain vote), Article I (Bill of Rights), Texas Constitution.

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