

BILL ANALYSIS

Senate Research Center
86R12028 SLB-F

H.B. 3214
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Intergovernmental Relations
5/11/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 3214 creates the Waller County Water Control and Improvement District No. 3 (district) under Chapter 51, Water Code, whose core function is to construct, own, and operate drainage improvements. The district covers approximately 3,791 acres and is located in the unincorporated area of Waller County.

H.B. 3214 amends current law relating to the creation of the Waller County Water Control and Improvement District No. 3; 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 I, Title 6, Special District Local Laws Code, by adding Chapter 9085, as follows:

CHAPTER 9085. WALLER COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3

Sets forth standard language for the creation of the Waller County Water Control and Improvement District No. 3 (district) in Waller County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 9085.0101–9085.0106);

Size, composition, election, and terms of the board of directors of the district, including provisions relating to temporary directors (Sections 9085.0201–9085.0202);

Powers and duties of the district (Sections 9085.0301–9085.0306);

General financial provisions (Sections 9085.0401–9085.0403); and

Authority to impose a tax and to issue bonds and obligations for the district (Sections 9085.0501–9085.0504).

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. (a) Provides that Section 9085.0306, 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, Chapter 9085, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 9085.0306, as follows:

Sec. 9085.0306. 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), Article I, Texas Constitution.

SECTION 5. Effective date: upon passage or September 1, 2019.