

BILL ANALYSIS

Senate Research Center
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H.B. 4671
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Ranch at Cypress Municipal Utility District No. 1 (district) is a special purpose water district created pursuant to Article XVI, Section 59, of the Texas Constitution, exercising powers and duties outlined in Chapters 49 and 54, Water Code. It consists of approximately 347 acres with 18 separate subdivisions in southwestern Williamson County and northwestern Travis County.

H.B. 4671 provides two new powers to the district—road powers and ability to appoint an architectural committee. When the district was initially established, it did not have road authority. H.B. 4671 provides that. Secondly, when residents wish to get a variance, they have to ask their architectural committees. However, there are a few of these committees within the district that have not actually been formed. H.B. 4671 will authorize the district to appoint such a committee.

H.B. 4671 amends current law relating to the powers and duties of the Ranch at Cypress Creek Municipal Utility District No. 1.

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 Chapter 21, Acts of the 71st Legislature, 6th Called Session, 1990, by amending Section 5 and adding Sections 6B, 6C, and 6D, as follows:

Sec. 5. FINDING OF BENEFIT. (a) Creates this subsection from existing text.

(b) Provides that the Ranch at Cypress Creek Municipal Utility District No. 1 (district) is created to accomplish the purposes of:

(1) a municipal utility district and a water control and improvement district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52 (Restrictions on Lending Credit or Making Grants by Political Corporations or Political Subdivisions; Authorized Bonds; Investment of Funds), Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 6B. AUTHORITY FOR ROAD PROJECTS. Authorizes the district, under Section 52, Article III, Texas Constitution, to design, acquire, construct, finance, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 6C. ROAD STANDARDS AND REQUIREMENTS. (a) Requires a road project to meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) Requires the road project, if a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, to meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) Requires the Texas Transportation Commission, if the state will maintain and operate the road, to approve the plans and specifications of the road project.

Sec. 6D. APPOINTMENT OF ARCHITECTURAL COMMITTEE. (a) Authorizes the district, in order to carry out the provisions of Section 54.237 (Enforcement of Real Property Restrictions), Water Code, except as provided by Subsection (b), to appoint an architectural committee for a subdivision located wholly inside the district that does not have an architectural committee or an area of the district not located in a subdivision.

(b) Prohibits the district from appointing an architectural committee for a subdivision for which the governing provisions prohibit the appointment of an architectural committee by the district or otherwise.

SECTION 2. 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 3. Effective date: September 1, 2019.