

BILL ANALYSIS

Senate Research Center
86R15960 SLB-F

H.B. 4679
By: Bell, Cecil (Creighton)
Intergovernmental Relations
5/15/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4679 amends current law relating to the creation of the Montgomery County Municipal Utility District No. 163; 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 8091, as follows:

CHAPTER 8091. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 163

Sets forth standard language for the creation of the Montgomery County Municipal Utility District No. 163 (district) in Montgomery County. Sets forth standards, requirements, and criteria for:

Creation, approval, purpose, and territory of the district (Sections 8091.0101–8091.0106);

Size, composition, election, and terms of the board of directors of the district, including provisions relating to initial temporary directors (Sections 8091.0201–8091.0202);

Powers and duties of the district (Sections 8091.0301–8091.0306);

General financial provisions and authority to impose taxes (Sections 8091.0401–8091.0403); and

Authority to issue bonds and other obligations for the district (Sections 8091.0501–8091.0503).

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 if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8091, Special District Local Laws Code, as added by this Section 1 of this Act, is amended by adding Section 8091.0307, as follows:

Sec. 8091.0307. 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), Article I, Texas Constitution.

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