

## **BILL ANALYSIS**

Senate Research Center

H.B. 4726  
By: Dominguez (Lucio)  
Intergovernmental Relations  
5/12/2019  
Engrossed

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

Flooding in Cameron County is an issue affecting many constituents throughout my district. There are currently five drainage districts in Camron County. However, these drainage districts do not cover the whole county, leaving several areas in the county unprotected against flooding. H.B. 4726 creates the Cameron County Flood Control District, which would have the authority to assess a tax to construct and maintain improvements to address drainage and flooding countywide.

H.B. 4726 amends current law relating to the creation of the Cameron County Flood Control District; grants a limited power of eminent domain; and provides authority to impose assessments, fees, and taxes and to issue bonds.

### **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 E, Title 6, Special District Local Laws Code, by adding Chapter 7816, as follows:

#### CHAPTER 7816. CAMERON COUNTY FLOOD CONTROL DISTRICT

Sets forth standard language for the creation of the Cameron County Flood Control District (district) in Cameron County. Sets forth standards, requirements, procedures, and criteria for:

Creation, approval, purpose, and territory of the district (Sections 7816.0101–7816.0106);

Size, composition, terms, officers, and responsibilities of the board of directors of the district (Sections 7816.0201–7816.0209);

Powers and duties of the district (Sections 7816.0301–7816.0307); and

General financial provisions, including authority to issue bonds and other indebtedness and impose taxes (Sections 7816.0401–7816.0404).

SECTION 2. 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 3. (a) Provides that Sections 7816.0302 and 7816.0303, Special District Local Laws Code, as added by Section 1 of this Act, take 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 7816, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7816.0302, as follows:

Sec. 7816.0302. 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 4. Effective date: upon passage or September 1, 2019.