

BILL ANALYSIS

Senate Research Center
86R17745 BRG-F

H.B. 4728
By: Stephenson (Huffman)
Intergovernmental Relations
5/11/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4728 creates Fort Bend County Municipal Utility District No. 241 (district) as a political subdivision of the State of Texas. The district will construct and finance water, sewer, drainage, road, and recreational facilities to serve property within the district, which is located in unincorporated Fort Bend County.

H.B. 4728 amends current law relating to the creation of the Fort Bend County Municipal Utility District No. 241; 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 8027, as follows:

CHAPTER 8027. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 241

Sets forth standard language for the creation of the Fort Bend County Municipal Utility District No. 241 (district) in Fort Bend County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8027.0101–8027.0106);

Size, composition, election, and terms of the board of directors of the district, including provisions related to initial temporary directors (Sections 8027.0201–8027.0202);

Powers and duties of the district (Sections 8027.0301–8027.0305);

General financial provisions and authority to impose a tax (Sections 8027.0401–8027.0403); and

Authority to issue bonds and other obligations for the district (Sections 8027.0501–8027.0503).

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, if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8027, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8027.0306, as follows:

Sec. 8027.0306. 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.