

BILL ANALYSIS

Senate Research Center
86R29554 BRG-F

H.B. 4765
By: Huberty (Bettencourt)
Administration
5/21/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Undeveloped land located within Harris County would benefit from the creation of a municipal utility district. H.B. 4765 seeks to provide for the creation of such a district.

H.B. 4765 amends the Special District Local Laws Code to create the Harris County Improvement District No. 27, subject to municipal consent and voter approval at a confirmation election. The bill grants the district the power to undertake certain road projects and provides for municipal utility district powers and duties. The bill authorizes the district, subject to certain requirements, to issue obligations and impose property, operation and maintenance, and contract taxes. The bill expressly prohibits the district from exercising the power of eminent domain if the bill does not receive a two-thirds vote of all the members elected to each house.

H.B. 4765 amends current law relating to the creation of the Harris County Improvement District No. 27; 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 7887, as follows:

CHAPTER 7887. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 27

Sets forth standard language for the creation of the Harris County Improvement District No. 27 (district) in Harris County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7887.0101–7887.0106);

Size, composition, election, and terms of the board of directors of the district, including provisions related to temporary directors (Sections 7887.0201–7887.0202);

Powers and duties of the district (Sections 7887.0301–7887.0305);

General financial provisions and authority to impose taxes (Sections 7887.0401–7887.0403); and

Authority to issue bonds and obligations for the district (Sections 7887.0501–7887.0503).

SECTION 2. Sets forth the initial territory 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 7887, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7887.0306, as follows:

Sec. 7887.0306. 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.