

BILL ANALYSIS

Senate Research Center
86R16030 BRG-F

S.B. 2548
By: Campbell
Intergovernmental Relations
5/9/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 2548 would redefine the boundaries of the Anthem Municipal Utility District (district) to reflect the sale of approximately 250 acres. The remaining property in the district now totals approximately 423 acres. S.B. 2548 also validates previous actions and elections of the district.

The Texas Commission on Environmental Quality created the district by order dated July 25, 2016. The district was confirmed by election on November 8, 2016. In 2017, the 85th Legislature, through H.B. 4270, added road powers and authority to issue bonds for the roads and providing authority to impose assessments.

The City of Austin and the Nature Conservancy very recently purchased approximately 250 acres that is within the district's boundaries. Since the property will no longer be part of the development project, both seller and buyer wish to redefine the boundaries of the district to omit that property.

Two separate elections have been held including the confirmation election and a separate road bond election. The property has been vacated for development intended to commence summer 2019. Should the district exclude land by petition of the landowner, new bond elections would need to be conducted as required by the Water Code and cause a delay until after November, the next election date.

As proposed, S.B. 2548 amends current law relating to boundaries of the Anthem Municipal Utility District.

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 Subchapter A, Chapter 7979, Special District Local Laws Code, by adding Section 7979.004 to read as follows:

Sec. 7979.004. DISTRICT TERRITORY. (a) Provides that the Anthem Municipal Utility District (district) is composed of the territory described by Section 2 of the Act enacting this section.

(b) Provides that the boundaries and field notes contained in Section 2 of the Act enacting this section form a closure. Provides that a mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

- (1) organization, existence, or validity;
- (2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SECTION 2. Sets forth the boundaries of the district.

SECTION 3. Provides that the district retains all the rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

SECTION 4. (a) Provides that the legislature validates and confirms all governmental acts, elections, and proceedings of the district that were taken before the effective date of this Act.

(b) Provides that this section does not apply to any matter that on the effective date of this Act is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or has been held invalid by a final court judgment.

SECTION 5. 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 6. Effective date: upon passage or September 1, 2019.