

BILL ANALYSIS

Senate Research Center
86R7004 BRG-F

S.B. 592
By: Watson
Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 592 creates a municipal utility district (MUD) between Elgin and Manor. The MUD has the standard powers of the MUD template.

As proposed, S.B. 592 amends current law relating to the creation of the Brickston Municipal Utility District; 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 8038, as follows:

CHAPTER 8038. BRICKSTON MUNICIPAL UTILITY DISTRICT

Sets forth standard language for the creation of the Brickston Municipal Utility District (district) in Travis County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 8038.0101–8038.0106);

Size, composition, election, and terms of the board of directors of the district (8038.0201–8038.0202);

Powers and duties of the district (8038.0301–8038.0307); and

General financial provisions and authority to impose tax and to issue bonds and obligations for the district (8038.0401–8038.0503).

Authorizes the district to exercise the power of eminent domain, contingent upon the Act receiving a two-thirds vote of all members elected to each house. Provides that if this Act does not receive a two-thirds vote of all members elected to each house, Subchapter C, Chapter 8038, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8038.0308, as follows:

Sec. 8038.0308. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

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 members elected to each house, Subchapter C, Chapter 8038, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8038.0308, as follows:

Sec. 8038.0308. 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) (relating to an authorization of the legislature to enact a general, local, or special law granting the power of eminent domain to an entity only on a two-thirds vote of all the members elected to each house), Article I (Bill of Rights), Texas Constitution.

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