

## **BILL ANALYSIS**

Senate Research Center  
86R7771 BRG-F

S.B. 871  
By: Zaffirini  
Intergovernmental Relations  
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As Filed

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

This legislation addresses the potential creation of the Clear Fork Ranch Municipal Utility District (district). The proposed district contains two tracts of land containing approximately 472 acres of real property in Caldwell County. One portion of the proposed district is located in the extraterritorial jurisdiction of the City of Lockhart, and the city has expressed its consent to the proposed district. The remaining land is located in the unincorporated territory of Caldwell County, and Caldwell County also passed a consent resolution.

The proposed district is located south of and adjacent to State Highway 142, approximately 1.5 miles west of State Highway 130. The land within the district is anticipated to be developed primarily for single family residential development. A small portion of the land also may be used for commercial purposes. One portion of the district would be developed as "Hartland Ranch" and contain approximately 546 single family residential lots, and the other portion would be developed as "Clear Fork Ranch" and contain approximately 1,100 single family residential lots.

As proposed, S.B. 871 amends current law relating to the creation of the Clear Fork Ranch 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 8053, as follows:

#### **CHAPTER 8053. CLEAR FORK RANCH MUNICIPAL UTILITY DISTRICT**

Sets forth standard language for the creation of the Clear Fork Ranch Municipal Utility District (district). Sets forth standards, requirements, and criteria for:

Creation, purpose, and territory of the district (Sections 8053.0101–8053.0106);

Size, composition, election, compensation, and terms of the board of directors of the district, including provisions relating to temporary directors (Sections 8053.0201–8053.0202);

Powers and duties of the district (Sections 8053.301–8053.0305);

General financial provisions (Sections 8053.0401–8053.0403); and

Authority to impose taxes and to issue bonds and obligations for the district (Sections 8053.0501–8053.0503).

SECTION 2. Sets forth the initial boundaries 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 8053, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8053.0306, as follows:

Sec. 8053.0306. 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: September 1, 2019.