

BILL ANALYSIS

Senate Research Center
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H.B. 4628
By: King, Phil (Powell)
Local Government
5/20/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 4628 creates Veale Ranch Municipal Management District No. 1 (district). The district will encompass approximately 3,790 acres of land located within Parker and Tarrant Counties, Texas. The district is located wholly within the extraterritorial jurisdiction of Fort Worth, Texas (city). H.B. 4628 is a standard template bill and provides for water, sewer, drainage, and road facilities (facilities), which need to be secured because the land to be located within the district will be developed for commercial purposes. H.B. 4628 follows the template in all regards, except that it provides for the city to appoint one director to the board of directors. The district is created under Local Government Code provisions applicable to municipal management districts and under constitutional provisions relating to conservation and reclamation districts. The district will have the authority to issue tax-exempt bonds to purchase, acquire, or construct the facilities. It is also necessary to empower the district with authority to impose a tax and to grant the district a limited power of eminent domain. The bill provides for the creation, administration, powers, duties, operation, and financing of the district.

H.B. 4628 amends current law relating to the creation of the Veale Ranch Municipal Management District No. 1, provides authority to issue bonds, provides authority to impose assessments, fees, and taxes, and grants the power of eminent domain.

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 C, Title 4, Special District Local Laws Code, by adding Chapter 3994, as follows:

CHAPTER 3994. VEALE RANCH MUNICIPAL MANAGEMENT DISTRICT NO. 1

Sets forth standard language for the creation of the Veale Ranch Municipal Management District No. 1 (district). Sets forth standards, procedures, requirements, and criteria for:

Creation, purpose, and approval of the district (Sections 3994.0101-3994.0109);

Size, composition, appointment, compensation, and terms of the board of directors of the district, including the naming of the initial directors (Sections 3994.0201-3994.0203);

Powers and duties of the district (Sections 3994.0301-3994.0312);

General financial provisions and authority to impose a tax and issue bonds and obligations for the district (Sections 3994.0401-3994.0506); and

Dissolution of the district by the city (Section 3994.0901).

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 Section 3994.0311, Special District Local Laws Code, as added by Section 1 of this Act, takes effect only if this Act receives a two-thirds vote of all the members elected to each house.

(b) Provides that if this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 3994, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 3994.0311, as follows:

Sec. 3994.0311. NO EMINENT DOMAIN POWER. Prohibits the district from exercising the power of eminent domain.

(c) 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, 2021.