

## **BILL ANALYSIS**

Senate Research Center  
87R8993 SGM-F

H.B. 4649  
By: Metcalf (Creighton)  
Local Government  
5/20/2021  
Engrossed

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

It has been suggested that undeveloped land located within Montgomery County would benefit from the creation of a municipal utility district. H.B. 4649 seeks to provide for the creation of such a district.

H.B. 4649 amends current law relating to the creation of the Montgomery County Municipal Utility District No. 198, 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 7906A, as follows:

#### CHAPTER 7906A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 198

Sets forth standard language for the creation of the Montgomery County Municipal Utility District No. 198 (district) in Montgomery County. Sets forth standards, procedures, requirements, and criteria for:

Creation and approval of the district (Sections 7906A.0101-7906A.0106);

Size, composition, election, and terms of the board of directors of the district (Sections 7906A.0201-7906A.0202);

Powers and duties of the district (Sections 7906A.0301-7906A.0305); and

General financial provisions and authority to impose a tax and to issue bonds and obligations for the district (Sections 7906A.0401-7906A.0503).

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 the members elected to each house, Subchapter C, Chapter 7906A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7906A.0306, as follows:

Sec. 7906A.0306. NO EMINENT DOMAIN POWER. The district may not exercise 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, 2021.