

1-1 By: Elkins (Senate Sponsor - Whitmire) H.B. No. 2220
 1-2 (In the Senate - Received from the House May 1, 2017;
 1-3 May 4, 2017, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 18, 2017, reported favorably by
 1-5 the following vote: Yeas 6, Nays 0; May 18, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Lucio	X			
1-8 Bettencourt	X			
1-9 Campbell	X			
1-10 Garcia	X			
1-11 Huffines			X	
1-12 Menéndez	X			
1-13 Taylor of Collin	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the powers and duties of the West Harris County
 1-18 Municipal Utility District No. 21; providing authority to issue
 1-19 bonds; providing authority to impose fees and taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-22 Code, is amended by adding Chapter 7976 to read as follows:

1-23 CHAPTER 7976. WEST HARRIS COUNTY MUNICIPAL
 1-24 UTILITY DISTRICT NO. 21

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 7976.001. DEFINITION. In this chapter, "district"
 1-27 means the West Harris County Municipal Utility District No. 21.

1-28 Sec. 7976.002. NATURE AND PURPOSES OF DISTRICT. (a) The
 1-29 district is a municipal utility district created under Section 59,
 1-30 Article XVI, Texas Constitution.

1-31 (b) The district is created to accomplish the purposes of:

1-32 (1) a municipal utility district as provided by
 1-33 general law and Section 59, Article XVI, Texas Constitution; and

1-34 (2) Section 52, Article III, Texas Constitution, that
 1-35 relate to the construction, acquisition, improvement, operation,
 1-36 or maintenance of macadamized, graveled, or paved roads, or
 1-37 improvements, including storm drainage, in aid of those roads.

1-38 SUBCHAPTER B. POWERS AND DUTIES

1-39 Sec. 7976.051. GENERAL POWERS AND DUTIES. The district has
 1-40 the powers and duties necessary to accomplish the purposes for
 1-41 which the district is created.

1-42 Sec. 7976.052. MUNICIPAL UTILITY DISTRICT POWERS AND
 1-43 DUTIES. The district has the powers and duties provided by the
 1-44 general law of this state, including Chapters 49 and 54, Water Code,
 1-45 applicable to municipal utility districts created under Section 59,
 1-46 Article XVI, Texas Constitution.

1-47 Sec. 7976.053. AUTHORITY FOR ROAD PROJECTS. Under Section
 1-48 52, Article III, Texas Constitution, the district may design,
 1-49 acquire, construct, finance, issue bonds for, improve, operate,
 1-50 maintain, and convey to this state, a county, or a municipality for
 1-51 operation and maintenance macadamized, graveled, or paved roads, or
 1-52 improvements, including storm drainage, in aid of those roads.

1-53 Sec. 7976.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 1-54 project must meet all applicable construction standards, zoning and
 1-55 subdivision requirements, and regulations of each municipality in
 1-56 whose corporate limits or extraterritorial jurisdiction the road
 1-57 project is located.

1-58 (b) If a road project is not located in the corporate limits
 1-59 or extraterritorial jurisdiction of a municipality, the road
 1-60 project must meet all applicable construction standards,
 1-61 subdivision requirements, and regulations of each county in which

2-1 the road project is located.

2-2 (c) If the state will maintain and operate the road, the
2-3 Texas Transportation Commission must approve the plans and
2-4 specifications of the road project.

2-5 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-6 Sec. 7976.101. AUTHORITY TO ISSUE BONDS AND OTHER
2-7 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
2-8 other obligations payable wholly or partly from ad valorem taxes,
2-9 impact fees, revenue, contract payments, grants, or other district
2-10 money, or any combination of those sources, to pay for a road
2-11 project authorized by Section 7976.053.

2-12 (b) The district may not issue bonds payable from ad valorem
2-13 taxes to finance a road project unless the issuance is approved by a
2-14 vote of a two-thirds majority of the district voters voting at an
2-15 election held for that purpose.

2-16 (c) At the time of issuance, the total principal amount of
2-17 bonds or other obligations issued or incurred to finance road
2-18 projects and payable from ad valorem taxes may not exceed
2-19 one-fourth of the assessed value of the real property in the
2-20 district.

2-21 Sec. 7976.102. TAXES FOR BONDS. At the time the district
2-22 issues bonds payable wholly or partly from ad valorem taxes, the
2-23 board of directors of the district shall provide for the annual
2-24 imposition of a continuing direct ad valorem tax, without limit as
2-25 to rate or amount, while all or part of the bonds are outstanding as
2-26 required and in the manner provided by Sections 54.601 and 54.602,
2-27 Water Code.

2-28 SECTION 2. The West Harris County Municipal Utility
2-29 District No. 21 retains all rights, powers, privileges, authority,
2-30 duties, and functions that it had before the effective date of this
2-31 Act.

2-32 SECTION 3. (a) The legislature validates and confirms all
2-33 governmental acts and proceedings of the West Harris County
2-34 Municipal Utility District No. 21 that were taken before the
2-35 effective date of this Act.

2-36 (b) This section does not apply to any matter that on the
2-37 effective date of this Act:

2-38 (1) is involved in litigation if the litigation
2-39 ultimately results in the matter being held invalid by a final court
2-40 judgment; or

2-41 (2) has been held invalid by a final court judgment.

2-42 SECTION 4. (a) The legal notice of the intention to
2-43 introduce this Act, setting forth the general substance of this
2-44 Act, has been published as provided by law, and the notice and a
2-45 copy of this Act have been furnished to all persons, agencies,
2-46 officials, or entities to which they are required to be furnished
2-47 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-48 Government Code.

2-49 (b) The governor, one of the required recipients, has
2-50 submitted the notice and Act to the Texas Commission on
2-51 Environmental Quality.

2-52 (c) The Texas Commission on Environmental Quality has filed
2-53 its recommendations relating to this Act with the governor, the
2-54 lieutenant governor, and the speaker of the house of
2-55 representatives within the required time.

2-56 (d) All requirements of the constitution and laws of this
2-57 state and the rules and procedures of the legislature with respect
2-58 to the notice, introduction, and passage of this Act are fulfilled
2-59 and accomplished.

2-60 SECTION 5. This Act takes effect immediately if it receives
2-61 a vote of two-thirds of all the members elected to each house, as
2-62 provided by Section 39, Article III, Texas Constitution. If this
2-63 Act does not receive the vote necessary for immediate effect, this
2-64 Act takes effect September 1, 2017.

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