

1-1 By: Zerwas (Senate Sponsor - Kolthorst) H.B. No. 4285
 1-2 (In the Senate - Received from the House May 10, 2017;
 1-3 May 10, 2017, read first time and referred to Committee on
 1-4 Administration; May 23, 2017, reported favorably by the following
 1-5 vote: Yeas 7, Nays 0; May 23, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

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

1-17 relating to the powers and duties of the Fort Bend County Municipal
 1-18 Utility District No. 130; providing authority to issue bonds;
 1-19 providing authority to impose a tax.

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 7994 to read as follows:

1-23 CHAPTER 7994. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 130
 1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 7994.001. DEFINITION. In this chapter, "district"
 1-26 means the Fort Bend County Municipal Utility District No. 130.

1-27 Sec. 7994.002. NATURE OF DISTRICT. The district is a
 1-28 municipal utility district created under Section 59, Article XVI,
 1-29 Texas Constitution.

1-30 Sec. 7994.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
 1-31 The district is created to serve a public purpose and benefit.

1-32 (b) The district is created to accomplish the purposes of:

1-33 (1) a municipal utility district as provided by
 1-34 general law and Section 59, Article XVI, Texas Constitution; and

1-35 (2) Section 52, Article III, Texas Constitution, that
 1-36 relate to the construction, acquisition, improvement, operation,
 1-37 or maintenance of macadamized, graveled, or paved roads, or
 1-38 improvements, including storm drainage, in aid of those roads.

1-39 SUBCHAPTER B. POWERS AND DUTIES

1-40 Sec. 7994.051. GENERAL POWERS AND DUTIES. The district has
 1-41 the powers and duties necessary to accomplish the purposes for
 1-42 which the district is created.

1-43 Sec. 7994.052. MUNICIPAL UTILITY DISTRICT POWERS AND
 1-44 DUTIES. The district has the powers and duties provided by the
 1-45 general law of this state, including Chapters 49 and 54, Water Code,
 1-46 applicable to municipal utility districts created under Section 59,
 1-47 Article XVI, Texas Constitution.

1-48 Sec. 7994.053. AUTHORITY FOR ROAD PROJECTS. Under Section
 1-49 52, Article III, Texas Constitution, the district may design,
 1-50 acquire, construct, finance, issue bonds for, improve, operate,
 1-51 maintain, and convey to this state, a county, or a municipality for
 1-52 operation and maintenance macadamized, graveled, or paved roads, or
 1-53 improvements, including storm drainage, in aid of those roads.

1-54 Sec. 7994.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 1-55 project must meet all applicable construction standards, zoning and
 1-56 subdivision requirements, and regulations of each municipality in
 1-57 whose corporate limits or extraterritorial jurisdiction the road
 1-58 project is located.

1-59 (b) If a road project is not located in the corporate limits
 1-60 or extraterritorial jurisdiction of a municipality, the road
 1-61 project must meet all applicable construction standards,

2-1 subdivision requirements, and regulations of each county in which
2-2 the road project is located.

2-3 (c) If the state will maintain and operate the road, the
2-4 Texas Transportation Commission must approve the plans and
2-5 specifications of the road project.

2-6 Sec. 7994.055. AUTHORITY TO ESTABLISH DEFINED AREAS.
2-7 Notwithstanding the acreage requirement under Section 54.801(a),
2-8 Water Code, the district may establish and administer defined areas
2-9 as provided by Subchapter J, Chapter 54, Water Code.

2-10 Sec. 7994.056. ADDITION OR EXCLUSION OF LAND IN DEFINED
2-11 AREA. The district may add or exclude land from the defined areas
2-12 in the same manner the district may add or exclude land from the
2-13 district.

2-14 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-15 Sec. 7994.101. AUTHORITY TO ISSUE BONDS AND OTHER
2-16 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
2-17 other obligations payable wholly or partly from ad valorem taxes,
2-18 impact fees, revenue, contract payments, grants, or other district
2-19 money, or any combination of those sources, to pay for a road
2-20 project authorized by Section 7994.053.

2-21 (b) The district may not issue bonds payable from ad valorem
2-22 taxes to finance a road project unless the issuance is approved by a
2-23 vote of a two-thirds majority of the district voters voting at an
2-24 election held for that purpose.

2-25 (c) At the time of issuance, the total principal amount of
2-26 bonds or other obligations issued or incurred to finance road
2-27 projects and payable from ad valorem taxes may not exceed
2-28 one-fourth of the assessed value of the real property in the
2-29 district.

2-30 Sec. 7994.102. TAXES FOR BONDS. At the time the district
2-31 issues bonds payable wholly or partly from ad valorem taxes, the
2-32 district shall provide for the annual imposition of a continuing
2-33 direct ad valorem tax, without limit as to rate or amount, while all
2-34 or part of the bonds are outstanding as required and in the manner
2-35 provided by Sections 54.601 and 54.602, Water Code.

2-36 SECTION 2. The Fort Bend County Municipal Utility District
2-37 No. 130 retains all the rights, powers, privileges, authority,
2-38 duties, and functions that it had before the effective date of this
2-39 Act.

2-40 SECTION 3. (a) The legislature validates and confirms all
2-41 acts and proceedings of the board of directors of the Fort Bend
2-42 County Municipal Utility District No. 130 that were taken before
2-43 the effective date of this Act.

2-44 (b) Subsection (a) of this section does not apply to any
2-45 matter that on the effective date of this Act:

2-46 (1) is involved in litigation if the litigation
2-47 ultimately results in the matter being held invalid by a final
2-48 judgment of a court; or

2-49 (2) has been held invalid by a final judgment of a
2-50 court.

2-51 SECTION 4. (a) The legal notice of the intention to
2-52 introduce this Act, setting forth the general substance of this
2-53 Act, has been published as provided by law, and the notice and a
2-54 copy of this Act have been furnished to all persons, agencies,
2-55 officials, or entities to which they are required to be furnished
2-56 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-57 Government Code.

2-58 (b) The governor, one of the required recipients, has
2-59 submitted the notice and Act to the Texas Commission on
2-60 Environmental Quality.

2-61 (c) The Texas Commission on Environmental Quality has filed
2-62 its recommendations relating to this Act with the governor, the
2-63 lieutenant governor, and the speaker of the house of
2-64 representatives within the required time.

2-65 (d) All requirements of the constitution and laws of this
2-66 state and the rules and procedures of the legislature with respect
2-67 to the notice, introduction, and passage of this Act are fulfilled
2-68 and accomplished.

2-69 SECTION 5. This Act takes effect immediately if it receives

3-1 a vote of two-thirds of all the members elected to each house, as
3-2 provided by Section 39, Article III, Texas Constitution. If this
3-3 Act does not receive the vote necessary for immediate effect, this
3-4 Act takes effect September 1, 2017.

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