

1-1 By: Zerwas (Senate Sponsor - Kolkhorst) 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 Kolkhorst	X			
1-8 Burton	X			
1-9 Huffines	X			
1-10 Hughes	X			
1-11 Nichols	X			
1-12 West	X			
1-13 Zaffirini	X			
1-14				

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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