

1-1 By: Nichols S.B. No. 2252  
 1-2 (In the Senate - Filed March 27, 2017; April 3, 2017, read  
 1-3 first time and referred to Committee on Transportation;  
 1-4 April 20, 2017, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; April 20, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nichols	X			
1-8 Hall	X			
1-9 Creighton	X			
1-10 Garcia	X			
1-11 Hancock	X			
1-12 Hinojosa	X			
1-13 Kolkhorst	X			
1-14 Perry	X			
1-15 Rodríguez	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to granting road powers to the Montgomery County Municipal  
 1-20 Utility District No. 100; providing authority to issue bonds.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 8119.002, Special District Local Laws  
 1-23 Code, is amended to read as follows:

1-24 Sec. 8119.002. NATURE OF DISTRICT; FINDINGS OF PUBLIC  
 1-25 PURPOSE AND BENEFIT. (a) The district is created to serve a public  
 1-26 purpose and benefit [a municipal utility district in Montgomery  
 1-27 County created under and essential to accomplish the purposes of  
 1-28 Section 59, Article XVI, Texas Constitution].

1-29 (b) The creation of the district is essential to accomplish  
 1-30 the purposes of:

1-31 (1) a municipal utility district as provided by  
 1-32 general law and Section 59, Article XVI, Texas Constitution; and

1-33 (2) Section 52, Article III, Texas Constitution, that  
 1-34 relate to the construction, acquisition, improvement, operation,  
 1-35 or maintenance of macadamized, graveled, or paved roads, or  
 1-36 improvements, including storm drainage, in aid of those roads.

1-37 SECTION 2. Subchapter C, Chapter 8119, Special District  
 1-38 Local Laws Code, is amended by adding Sections 8119.104 and  
 1-39 8119.105 to read as follows:

1-40 Sec. 8119.104. AUTHORITY FOR ROAD PROJECTS. Under Section  
 1-41 52, Article III, Texas Constitution, the district may design,  
 1-42 acquire, construct, finance, issue bonds for, improve, operate,  
 1-43 maintain, and convey to this state, a county, or a municipality for  
 1-44 operation and maintenance macadamized, graveled, or paved roads, or  
 1-45 improvements, including storm drainage, in aid of those roads.

1-46 Sec. 8119.105. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 1-47 road project must meet all applicable construction standards,  
 1-48 zoning and subdivision requirements, and regulations of each  
 1-49 municipality in whose corporate limits or extraterritorial  
 1-50 jurisdiction the road project is located.

1-51 (b) If a road project is not located in the corporate limits  
 1-52 or extraterritorial jurisdiction of a municipality, the road  
 1-53 project must meet all applicable construction standards,  
 1-54 subdivision requirements, and regulations of each county in which  
 1-55 the road project is located.

1-56 (c) If the state will maintain and operate the road, the  
 1-57 Texas Transportation Commission must approve the plans and  
 1-58 specifications of the road project.

1-59 SECTION 3. Chapter 8119, Special District Local Laws Code,  
 1-60 is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. BONDS

2-1 Sec. 8119.151. BONDS FOR ROAD PROJECTS. At the time of  
2-2 issuance, the total principal amount of bonds or other obligations  
2-3 issued or incurred to finance road projects and payable from ad  
2-4 valorem taxes may not exceed one-fourth of the assessed value of the  
2-5 real property in the district.

2-6 SECTION 4. (a) The legal notice of the intention to  
2-7 introduce this Act, setting forth the general substance of this  
2-8 Act, has been published as provided by law, and the notice and a  
2-9 copy of this Act have been furnished to all persons, agencies,  
2-10 officials, or entities to which they are required to be furnished  
2-11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
2-12 Government Code.

2-13 (b) The governor, one of the required recipients, has  
2-14 submitted the notice and Act to the Texas Commission on  
2-15 Environmental Quality.

2-16 (c) The Texas Commission on Environmental Quality has filed  
2-17 its recommendations relating to this Act with the governor, the  
2-18 lieutenant governor, and the speaker of the house of  
2-19 representatives within the required time.

2-20 (d) All requirements of the constitution and laws of this  
2-21 state and the rules and procedures of the legislature with respect  
2-22 to the notice, introduction, and passage of this Act are fulfilled  
2-23 and accomplished.

2-24 SECTION 5. This Act takes effect immediately if it receives  
2-25 a vote of two-thirds of all the members elected to each house, as  
2-26 provided by Section 39, Article III, Texas Constitution. If this  
2-27 Act does not receive the vote necessary for immediate effect, this  
2-28 Act takes effect September 1, 2017.

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