

1-1 By: Zerwas (Senate Sponsor - Kolthorst) H.B. No. 1935  
1-2 (In the Senate - Received from the House April 15, 2019;  
1-3 April 16, 2019, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 6, 2019, reported favorably by  
1-5 the following vote: Yeas 7, Nays 0; May 6, 2019, 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. 168; 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 8030 to read as follows:

1-23 CHAPTER 8030. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 168

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 8030.0001. DEFINITIONS. In this chapter:

1-26 (1) "Board" means the district's board of directors.

1-27 (2) "District" means the Fort Bend County Municipal  
1-28 Utility District No. 168.

1-29 Sec. 8030.0002. NATURE AND PURPOSES OF DISTRICT. (a) The  
1-30 district is a municipal utility district created under Section 59,  
1-31 Article XVI, Texas Constitution.

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. 8030.0051. GENERAL POWERS AND DUTIES. The district  
1-41 has the powers and duties necessary to accomplish the purposes for  
1-42 which the district is created.

1-43 Sec. 8030.0052. 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. 8030.0053. 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. 8030.0054. ROAD STANDARDS AND REQUIREMENTS. (a) A  
1-55 road project must meet all applicable construction standards and  
1-56 regulations of each municipality in whose corporate limits or  
1-57 extraterritorial jurisdiction the road 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 and  
1-61 regulations of each county in which the road project is located.

2-1 (c) If the state will maintain and operate the road, the  
2-2 Texas Transportation Commission must approve the plans and  
2-3 specifications of the road project.

2-4 Sec. 8030.0055. AUTHORITY TO ESTABLISH DEFINED AREAS OR  
2-5 DESIGNATED PROPERTY. Notwithstanding the acreage requirement  
2-6 under Section 54.801(a), Water Code, the district may define areas  
2-7 or designate certain property of the district as provided by  
2-8 Subchapter J, Chapter 54, Water Code, to pay for improvements,  
2-9 facilities, or services that primarily benefit that area or  
2-10 property and do not generally and directly benefit the district as a  
2-11 whole.

2-12 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-13 Sec. 8030.0101. AUTHORITY TO ISSUE BONDS AND OTHER  
2-14 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or  
2-15 other obligations payable wholly or partly from ad valorem taxes,  
2-16 revenue, contract payments, grants, or other district money, or any  
2-17 combination of those sources, to pay for a road project authorized  
2-18 by Section 8030.0053.

2-19 (b) The district may not issue bonds payable from ad valorem  
2-20 taxes to finance a road project unless the issuance is approved by a  
2-21 vote of a two-thirds majority of the district voters voting at an  
2-22 election held for that purpose.

2-23 (c) At the time of issuance, the total principal amount of  
2-24 bonds or other obligations issued or incurred to finance road  
2-25 projects and payable from ad valorem taxes may not exceed  
2-26 one-fourth of the assessed value of the real property in the  
2-27 district.

2-28 Sec. 8030.0102. TAXES FOR BONDS. At the time the district  
2-29 issues bonds payable wholly or partly from ad valorem taxes, the  
2-30 board shall provide for the annual imposition of a continuing  
2-31 direct ad valorem tax, without limit as to rate or amount, while all  
2-32 or part of the bonds are outstanding as required and in the manner  
2-33 provided by Sections 54.601 and 54.602, Water Code.

2-34 SECTION 2. The Fort Bend County Municipal Utility District  
2-35 No. 168 retains all the rights, powers, privileges, authority,  
2-36 duties, and functions that it had before the effective date of this  
2-37 Act.

2-38 SECTION 3. (a) The legal notice of the intention to  
2-39 introduce this Act, setting forth the general substance of this  
2-40 Act, has been published as provided by law, and the notice and a  
2-41 copy of this Act have been furnished to all persons, agencies,  
2-42 officials, or entities to which they are required to be furnished  
2-43 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
2-44 Government Code.

2-45 (b) The governor, one of the required recipients, has  
2-46 submitted the notice and Act to the Texas Commission on  
2-47 Environmental Quality.

2-48 (c) The Texas Commission on Environmental Quality has filed  
2-49 its recommendations relating to this Act with the governor, the  
2-50 lieutenant governor, and the speaker of the house of  
2-51 representatives within the required time.

2-52 (d) All requirements of the constitution and laws of this  
2-53 state and the rules and procedures of the legislature with respect  
2-54 to the notice, introduction, and passage of this Act are fulfilled  
2-55 and accomplished.

2-56 SECTION 4. This Act takes effect immediately if it receives  
2-57 a vote of two-thirds of all the members elected to each house, as  
2-58 provided by Section 39, Article III, Texas Constitution. If this  
2-59 Act does not receive the vote necessary for immediate effect, this  
2-60 Act takes effect September 1, 2019.

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