

1-1 By: Zerwas (Senate Sponsor - Kolthorst) H.B. No. 3094
 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. 198; 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 8058 to read as follows:

1-23 CHAPTER 8058. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 198
 1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 8058.0101. 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. 198.
 1-29 Sec. 8058.0102. 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. 8058.0201. 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. 8058.0202. 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. 8058.0203. 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. 8058.0204. ROAD STANDARDS AND REQUIREMENTS. (a) A
 1-55 road project must meet all applicable construction standards,
 1-56 zoning and subdivision requirements, and regulations of each
 1-57 municipality in whose corporate limits or extraterritorial
 1-58 jurisdiction the road 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 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-7 Sec. 8058.0301. AUTHORITY TO ISSUE BONDS AND OTHER
2-8 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
2-9 other obligations payable wholly or partly from ad valorem taxes,
2-10 impact fees, revenue, contract payments, grants, or other district
2-11 money, or any combination of those sources, to pay for a road
2-12 project authorized by Section 8058.0203.

2-13 (b) The district may not issue bonds payable from ad valorem
2-14 taxes to finance a road project unless the issuance is approved by a
2-15 vote of a two-thirds majority of the district voters voting at an
2-16 election held for that purpose.

2-17 (c) At the time of issuance, the total principal amount of
2-18 bonds or other obligations issued or incurred to finance road
2-19 projects and payable from ad valorem taxes may not exceed
2-20 one-fourth of the assessed value of the real property in the
2-21 district.

2-22 Sec. 8058.0302. TAXES FOR BONDS. At the time the district
2-23 issues bonds payable wholly or partly from ad valorem taxes, the
2-24 board shall provide for the annual imposition of a continuing
2-25 direct ad valorem tax, without limit as to rate or amount, while all
2-26 or part of the bonds are outstanding as required and in the manner
2-27 provided by Sections 54.601 and 54.602, Water Code.

2-28 SECTION 2. The Fort Bend County Municipal Utility District
2-29 No. 198 retains all the 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 Fort Bend County Municipal
2-34 Utility District No. 198 that were taken before the effective date
2-35 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, 2019.

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