

1-1 By: Gates (Senate Sponsor - Huffman) H.B. No. 5661
 1-2 (In the Senate - Received from the House May 8, 2025;
 1-3 May 21, 2025, read first time and referred to Committee on Local
 1-4 Government; May 22, 2025, reported favorably by the following
 1-5 vote: Yeas 6, Nays 0, 1 present not voting; May 22, 2025, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Bettencourt	X			
1-9 Middleton				X
1-10 Cook	X			
1-11 Gutierrez	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 West	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the creation of the Fort Bend County Municipal Utility
 1-19 District No. 286; granting a limited power of eminent domain;
 1-20 providing authority to issue bonds; providing authority to impose
 1-21 assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-24 Code, is amended by adding Chapter 8017A to read as follows:

1-25 CHAPTER 8017A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT
 1-26 NO. 286

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 8017A.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.
 1-30 (2) "City" means the City of Rosenberg, Texas.
 1-31 (3) "Commission" means the Texas Commission on
 1-32 Environmental Quality.

1-33 (4) "Director" means a board member.
 1-34 (5) "District" means the Fort Bend County Municipal
 1-35 Utility District No. 286.

1-36 Sec. 8017A.0102. NATURE OF DISTRICT. The district is a
 1-37 municipal utility district created under Section 59, Article XVI,
 1-38 Texas Constitution.

1-39 Sec. 8017A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-40 REQUIRED. The temporary directors shall hold an election to
 1-41 confirm the creation of the district and to elect five permanent
 1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 8017A.0104. CONSENT OF MUNICIPALITY AND DEVELOPMENT
 1-44 AGREEMENT REQUIRED. (a) The temporary directors may not hold an
 1-45 election under Section 8017A.0103 or to authorize the issuance of
 1-46 bonds until:

1-47 (1) the governing body of the city by ordinance or
 1-48 resolution consents to the creation of the district and to the
 1-49 inclusion of land in the district; and

1-50 (2) the district, the city, and the owner or owners of
 1-51 a majority of the assessed value of real property in the district
 1-52 negotiate and execute a mutually approved and accepted development
 1-53 agreement.

1-54 (b) The city's consent under Subsection (a) must be granted
 1-55 in the manner provided by Section 54.016, Water Code, for including
 1-56 land within the corporate limits or extraterritorial jurisdiction
 1-57 of a city.

1-58 Sec. 8017A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-59 (a) The district is created to serve a public purpose and benefit.

1-60 (b) The district is created to accomplish the purposes of:
 1-61 (1) a municipal utility district as provided by

2-1 general law and Section 59, Article XVI, Texas Constitution; and
 2-2 (2) Section 52, Article III, Texas Constitution, that
 2-3 relate to the construction, acquisition, improvement, operation,
 2-4 or maintenance of macadamized, graveled, or paved roads, or
 2-5 improvements, including storm drainage, in aid of those roads.

2-6 Sec. 8017A.0106. INITIAL DISTRICT TERRITORY. (a) The
 2-7 district is initially composed of the territory described by
 2-8 Section 2 of the Act enacting this chapter.

2-9 (b) The boundaries and field notes contained in Section 2 of
 2-10 the Act enacting this chapter form a closure. A mistake made in the
 2-11 field notes or in copying the field notes in the legislative process
 2-12 does not affect the district's:

2-13 (1) organization, existence, or validity;

2-14 (2) right to issue any type of bond for the purposes
 2-15 for which the district is created or to pay the principal of and
 2-16 interest on a bond;

2-17 (3) right to impose a tax; or

2-18 (4) legality or operation.

2-19 SUBCHAPTER B. BOARD OF DIRECTORS

2-20 Sec. 8017A.0201. GOVERNING BODY; TERMS. (a) The district
 2-21 is governed by a board of five elected directors.

2-22 (b) Except as provided by Section 8017A.0202, directors
 2-23 serve staggered four-year terms.

2-24 Sec. 8017A.0202. TEMPORARY DIRECTORS. (a) The temporary
 2-25 board consists of:

2-26 (1) Mark Arce;

2-27 (2) Houyshar Moarefi;

2-28 (3) Neil Aussenberg;

2-29 (4) Russell Chun; and

2-30 (5) Kelsey Olsen.

2-31 (b) Temporary directors serve until the earlier of:

2-32 (1) the date permanent directors are elected under
 2-33 Section 8017A.0103; or

2-34 (2) the fourth anniversary of the effective date of
 2-35 the Act enacting this chapter.

2-36 (c) If permanent directors have not been elected under
 2-37 Section 8017A.0103 and the terms of the temporary directors have
 2-38 expired, successor temporary directors shall be appointed or
 2-39 reappointed as provided by Subsection (d) to serve terms that
 2-40 expire on the earlier of:

2-41 (1) the date permanent directors are elected under
 2-42 Section 8017A.0103; or

2-43 (2) the fourth anniversary of the date of the
 2-44 appointment or reappointment.

2-45 (d) If Subsection (c) applies, the owner or owners of a
 2-46 majority of the assessed value of the real property in the district
 2-47 may submit a petition to the commission requesting that the
 2-48 commission appoint as successor temporary directors the five
 2-49 persons named in the petition. The commission shall appoint as
 2-50 successor temporary directors the five persons named in the
 2-51 petition.

2-52 SUBCHAPTER C. POWERS AND DUTIES

2-53 Sec. 8017A.0301. GENERAL POWERS AND DUTIES. The district
 2-54 has the powers and duties necessary to accomplish the purposes for
 2-55 which the district is created.

2-56 Sec. 8017A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-57 DUTIES. The district has the powers and duties provided by the
 2-58 general law of this state, including Section 52, Article III, Texas
 2-59 Constitution, and Chapters 49 and 54, Water Code, applicable to
 2-60 municipal utility districts created under Section 59, Article XVI,
 2-61 Texas Constitution.

2-62 Sec. 8017A.0303. AUTHORITY FOR ROAD PROJECTS. Under
 2-63 Section 52, Article III, Texas Constitution, the district may
 2-64 design, acquire, construct, finance, issue bonds for, improve,
 2-65 operate, maintain, and convey to this state, a county, or a
 2-66 municipality for operation and maintenance macadamized, graveled,
 2-67 or paved roads, or improvements, including storm drainage, in aid
 2-68 of those roads.

2-69 Sec. 8017A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A

3-1 road project must meet all applicable construction standards,
 3-2 zoning and subdivision requirements, and regulations of each
 3-3 municipality in whose corporate limits or extraterritorial
 3-4 jurisdiction the road project is located.

3-5 (b) If a road project is not located in the corporate limits
 3-6 or extraterritorial jurisdiction of a municipality, the road
 3-7 project must meet all applicable construction standards,
 3-8 subdivision requirements, and regulations of each county in which
 3-9 the road project is located.

3-10 (c) If the state will maintain and operate the road, the
 3-11 Texas Transportation Commission must approve the plans and
 3-12 specifications of the road project.

3-13 Sec. 8017A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 3-14 ORDINANCE OR RESOLUTION. The district shall comply with all
 3-15 applicable requirements of any ordinance or resolution that is
 3-16 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-17 consents to the creation of the district or to the inclusion of land
 3-18 in the district.

3-19 Sec. 8017A.0306. PUBLIC INFORMATION. (a) The district
 3-20 shall maintain an Internet website.

3-21 (b) The board shall make available on the district's
 3-22 Internet website the information required under Section 26.18, Tax
 3-23 Code.

3-24 Sec. 8017A.0307. DIVISION OF DISTRICT. This chapter
 3-25 applies to any new district created by the division of the district
 3-26 under Section 49.316, Water Code, and a new district has all the
 3-27 powers and duties of the district.

3-28 SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

3-29 Sec. 8017A.0401. AUTHORITY TO ISSUE BONDS AND OTHER
 3-30 OBLIGATIONS. The district may issue bonds or other obligations
 3-31 payable wholly or partly from ad valorem taxes, impact fees,
 3-32 revenue, contract payments, grants, or other district money, or any
 3-33 combination of those sources, to pay for any authorized district
 3-34 purpose.

3-35 Sec. 8017A.0402. TAXES FOR BONDS. At the time the district
 3-36 issues bonds payable wholly or partly from ad valorem taxes, the
 3-37 board shall provide for the annual imposition of a continuing
 3-38 direct ad valorem tax, without limit as to rate or amount, while all
 3-39 or part of the bonds are outstanding as required and in the manner
 3-40 provided by Sections 54.601 and 54.602, Water Code.

3-41 SECTION 2. The Fort Bend County Municipal Utility District
 3-42 No. 286 initially includes all the territory contained in the
 3-43 following area:

3-44 Being a 97.5629 acres (4,249,840 square feet) of land situated in
 3-45 the H&TC RR CO Survey, A-208 of Fort Bend County, Texas and being
 3-46 all of Two (2) 48.650 acre tracts of land as described in on
 3-47 instrument to

3-48 Alexander E. Brodsky by Warranty Deed with Vendors Lien, recorded
 3-49 in Volume 598, Page 885 of the Deed Records of Fort Bend County,
 3-50 Texas (D.R.F.B.C.T.), said 97.5629 acre tract of land described by
 3-51 metes and bounds as follows:

3-52 COMMENCING of a 1/2 inch iron pipe found lying in the northeast line
 3-53 of a called 16.511 acre tract of land as described in an instrument
 3-54 to David Waddell Vogelsang Trust by General Warranty Deed recorded
 3-55 under Clerk's File Number (C.F.N.) 2012033682 of the Official
 3-56 Public Records of Fort Bend County, Texas (O.P.R. F.B.C.T), being
 3-57 the most westerly corner of a called 47.72 acre tract of land as
 3-58 described in an instrument to James White, recorded under C.F.N.
 3-59 9715442 of the O.P.R.F.B.C.T. and the most southerly corner of
 3-60 called 80 acre tract of land as described in an instrument to Rhonda
 3-61 Rand Hill, as Trustee of The Rhonda Rand Hill Revocable Living Trust
 3-62 by Special Warranty Deed recorded under C.F.N. 2016036341 O.P.R.
 3-63 F.B.C.T.;

3-64 THENCE North 47° 46' 10" West, along and with the northeast line of
 3-65 said 16.511 acre tract, a called 50.11 acre tract of land as
 3-66 described in an instrument to Richard Lee Carney, recorded under
 3-67 C.F.N. 2017019399 of the O.P.R. F.B.C.T., a distance of 977.00 feet
 3-68 to a 5/8 inch iron rod with cap stamped "FULCRUM LAND SURVEYING",
 3-69 for the most northerly corner of said 50.11 acre tract of land, most

4-1 easterly corner of said 48.650 acre tract and POINT OF BEGINNING of
4-2 the herein described tract;
4-3 THENCE South 42° 11' 52" West, along and with the north line of said
4-4 50.11 acre tract of land, a distance of 2635.73 feet to a PK-Nail
4-5 set, being in the centerline of Blase Road, a Public Asphalt Road,
4-6 for the most southerly corner of said 48.650 acre and herein
4-7 described tract;
4-8 THENCE North 47° 52' 22" West, along and with said Blase Road
4-9 centerline, a distance of 1667.62 feet to a PK-Nail set, being the
4-10 centerline intersection of said Blase Road and Zunker Road, a 60'
4-11 Public asphalt Road, for the most westerly corner of said 48.650
4-12 acre and herein described tract;
4-13 THENCE North 42° 16' 26" East, along and with said Zunker Road
4-14 centerline, a distance of 2320.07 feet to a PK-Nail set, for the
4-15 most westerly corner of a called 3.293 acre tract of land as
4-16 described in an Instrument to Randall R. Schmidt by General
4-17 Warranty Deed with Vendors Lien recorded under C.F.N. 2001022111 of
4-18 the O.P.R. F.B.C.T.;
4-19 THENCE South 47° 46' 10" East, along and with the southwest line of
4-20 said 3.293 acre tract of land, passing a 1/2 inch pipe found for a
4-21 distance of 40.27 feet, being the apparent right of way line of
4-22 Zunker Road, and continuing for a total distance of 450.29 feet to a
4-23 1/2 inch pipe found, marking the most southerly corner of said 3.293
4-24 acre tract of land;
4-25 THENCE North 42° 13' 20" East, along and with the southeast line of
4-26 said 3.293 acre tract of land, a distance of 318.67 feet to a 5/8
4-27 inch iron rod with cap found, for the most easterly corner of said
4-28 3.293 acre tract of land, being the southwest line of said 80 acre
4-29 tract of land;
4-30 THENCE South 47° 46' 10" East, along and with the southwest line of
4-31 said 80 acre tract of land, a distance of 1214.11 feet to the POINT
4-32 OF BEGINNING and containing a computed 97.5629 acres (4,249,840
4-33 square feet) of land.
4-34 Being a 79.5635 acres (3,465,787 square feet) of land situated in
4-35 the H&TC RR CO Survey, A-208 of Fort Bend County, Texas and being
4-36 all of a called 80 acre tract of land as described in an instrument
4-37 to Rhonda Rand Hill, as Trustee of The Rhonda Rand Hill Revocable
4-38 Living Trust, recorded under Clerks File Number (C.F.N.) 2016036341
4-39 of the Official Public Records of Fort Bend County, Texas (O.P.R.
4-40 F.B.C.T), said 79.5635 acre tract of land described by metes and
4-41 bounds as follows:
4-42 BEGINNING at a 1/2 inch iron pipe found lying in the northeast line
4-43 of a called 16.511 acre tract of land as described in an instrument
4-44 to Christian James Garcia, recorded under C.F.N. 2012033682 of the
4-45 O.P.R. F.B.C.T., being the most easterly corner of a called 47.72
4-46 acre tract of land as described in an instrument to James White,
4-47 recorded under C.F.N. 9715442 of the O.P.R. F.B.C.T. and the most
4-48 southerly corner of said 80 acre tract of land and herein described
4-49 tract;
4-50 THENCE North 47°46'10" West, along and with the northeast line of
4-51 said 16.511 acre tract, a called 50.11 acre tract of land as
4-52 described in an instrument to Richard Lee Carney, recorded under
4-53 C.F.N. 2017019399 of the O.P.R. F.B.C.T., a called Two 48.650 acre
4-54 tracts of land as described in an instrument to Alexander E.
4-55 Brodsky, recorded in Volume 598, Page 885 of the Deed Records of
4-56 Fort Bend County, Texas (D.R. F.B.C.T.), and a called 3.293 acre
4-57 tract of land as described in an instrument to Randall R. Schmidt,
4-58 recorded under C.F.N. 2001022111 of the O.P.R. F.B.C.T., passing a
4-59 distance of 21291.12 feet for a 5/8 inch iron rod with cap found for
4-60 the most easterly corner of said 3.293 acre tract of land, passing a
4-61 distance of 2601.00 feet for a 5/8 inch iron rod with cap found
4-62 being the apparent right of way line of Zunker Road, a 60' public
4-63 asphalt road, for a total distance of 2641.12 feet to center of
4-64 Zunker Road;
4-65 THENCE North 42°13'20" East, along and with the center line of
4-66 Zunker Road, a distance of 1315.06 feet to a 60-D Nail set for the
4-67 most westerly corner of a called 2.471-acre tract of land as
4-68 described in an instrument to Christian James Garcia, recorded
4-69 under C.F.N. 202121913 of the O.P.R. F.B.C.T. and the most

5-1 northerly corner of said 80 acre tract of land and the herein
5-2 described tract, being the centerline intersection of said Zunker
5-3 Road and Twin Lane, a 60' public asphalt road;
5-4 THENCE South 47°44'39" East, along and with the centerline of said
5-5 Twin Lane and southwest line of said 2.471 acre tract of land, a
5-6 called 3.552 acre tract of land as described in an instrument to
5-7 Kenneth K. Sugawara Jr. and Laura J. Sugawara, recorded under
5-8 C.F.N. 2005155829 of the O.P.R. F.B.C.T., a called 2.50 acre tract
5-9 of land as described in an instrument to Guidroz Family Living
5-10 Trust, recorded under C.F.N. 2009129064 of the O.P.R. F.B.C.T., a
5-11 called 1.6273 acre tract of land as described in an instrument to
5-12 Benjamin Castillo, recorded under C.F.N. 201709579 of the O.P.R.
5-13 F.B.C.T., a called 2.17 acre tract of land as described in an
5-14 instrument to James Respondek and wife, Anna Barbara Respondek,
5-15 recorded under C.F.N. 79097662 of the O.P.R. F.B.C.T., a called
5-16 4.082 acre tract of land as described in an instrument to Bruce
5-17 Conrad Stewart Jr. and Bonnie Marie Stewart, recorded under C.F.N.
5-18 2021194577 of the O.P.R. F.B.C.T., and a called 1.25 acre tract of
5-19 land as described in an instrument to Cheyl Davis, recorded under
5-20 C.F.N. 2019138340 of the O.P.R. F.B.C.T., passing a distance of
5-21 1831.47 feet for a Mag Nail found, marking the most northerly corner
5-22 of said 1.25 acre tract of land, for a total distance of 2632.13
5-23 feet to a point, being in the northwest line said 47.72 acre tract
5-24 of land and the most easterly corner of said 80 acre tract of land
5-25 and herein described tract, from which a 5/8 inch iron rod found,
5-26 bears South 47°42'09" East, a distance of 1.84 feet;
5-27 THENCE South 41°49'49" West, along and with the northwest line of
5-28 said 47.72-acre tract of land, a distance of 1313.93 feet to the
5-29 POINT OF BEGINNING and containing a computed 79.5635 acres
5-30 (3,465,787 square feet) of land.

5-31 SECTION 3. (a) The legal notice of the intention to
5-32 introduce this Act, setting forth the general substance of this
5-33 Act, has been published as provided by law, and the notice and a
5-34 copy of this Act have been furnished to all persons, agencies,
5-35 officials, or entities to which they are required to be furnished
5-36 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
5-37 Government Code.

5-38 (b) The governor, one of the required recipients, has
5-39 submitted the notice and Act to the Texas Commission on
5-40 Environmental Quality.

5-41 (c) The Texas Commission on Environmental Quality has filed
5-42 its recommendations relating to this Act with the governor, the
5-43 lieutenant governor, and the speaker of the house of
5-44 representatives within the required time.

5-45 (d) All requirements of the constitution and laws of this
5-46 state and the rules and procedures of the legislature with respect
5-47 to the notice, introduction, and passage of this Act are fulfilled
5-48 and accomplished.

5-49 SECTION 4. (a) If this Act does not receive a two-thirds
5-50 vote of all the members elected to each house, Subchapter C, Chapter
5-51 8017A, Special District Local Laws Code, as added by Section 1 of
5-52 this Act, is amended by adding Section 8017A.0308 to read as
5-53 follows:

5-54 Sec. 8017A.0308. NO EMINENT DOMAIN POWER. The district may
5-55 not exercise the power of eminent domain.

5-56 (b) This section is not intended to be an expression of a
5-57 legislative interpretation of the requirements of Section 17(c),
5-58 Article I, Texas Constitution.

5-59 SECTION 5. This Act takes effect immediately if it receives
5-60 a vote of two-thirds of all the members elected to each house, as
5-61 provided by Section 39, Article III, Texas Constitution. If this
5-62 Act does not receive the vote necessary for immediate effect, this
5-63 Act takes effect September 1, 2025.

5-64 * * * * *