

1-1 By: Geren (Senate Sponsor - Hagenbuch) H.B. No. 5679
 1-2 (In the Senate - Received from the House May 12, 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 Hills of Walnut Creek Municipal
 1-19 Utility District of Parker County; granting a limited power of
 1-20 eminent domain; providing authority to issue bonds; providing
 1-21 authority to impose 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 7897 to read as follows:

1-25 CHAPTER 7897. HILLS OF WALNUT CREEK MUNICIPAL UTILITY DISTRICT OF
 1-26 PARKER COUNTY

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 7897.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.

1-30 (2) "Commission" means the Texas Commission on
 1-31 Environmental Quality.

1-32 (3) "Director" means a board member.

1-33 (4) "District" means the Hills of Walnut Creek
 1-34 Municipal Utility District of Parker County.

1-35 Sec. 7897.0102. NATURE OF DISTRICT. The district is a
 1-36 municipal utility district created under Section 59, Article XVI,
 1-37 Texas Constitution.

1-38 Sec. 7897.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-39 REQUIRED. The temporary directors shall hold an election to
 1-40 confirm the creation of the district and to elect five permanent
 1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 7897.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-43 temporary directors may not hold an election under Section
 1-44 7897.0103 until each municipality in whose corporate limits or
 1-45 extraterritorial jurisdiction the district is located has
 1-46 consented by ordinance or resolution to the creation of the
 1-47 district and to the inclusion of land in the district as required by
 1-48 applicable law.

1-49 Sec. 7897.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-50 (a) The district is created to serve a public purpose and benefit.

1-51 (b) The district is created to accomplish the purposes of:

1-52 (1) a municipal utility district as provided by
 1-53 general law and Section 59, Article XVI, Texas Constitution; and

1-54 (2) Section 52, Article III, Texas Constitution, that
 1-55 relate to the construction, acquisition, improvement, operation,
 1-56 or maintenance of macadamized, graveled, or paved roads, or
 1-57 improvements, including storm drainage, in aid of those roads.

1-58 Sec. 7897.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-59 district is initially composed of the territory described by
 1-60 Section 2 of the Act enacting this chapter.

1-61 (b) The boundaries and field notes contained in Section 2 of

2-1 the Act enacting this chapter form a closure. A mistake made in the
 2-2 field notes or in copying the field notes in the legislative process
 2-3 does not affect the district's:

- 2-4 (1) organization, existence, or validity;
 2-5 (2) right to issue any type of bond for the purposes
 2-6 for which the district is created or to pay the principal of and
 2-7 interest on a bond;
 2-8 (3) right to impose a tax; or
 2-9 (4) legality or operation.

2-10 SUBCHAPTER B. BOARD OF DIRECTORS

2-11 Sec. 7897.0201. GOVERNING BODY; TERMS. (a) The district is
 2-12 governed by a board of five elected directors.

2-13 (b) Except as provided by Section 7897.0202, directors
 2-14 serve staggered four-year terms.

2-15 Sec. 7897.0202. TEMPORARY DIRECTORS. (a) On or after the
 2-16 effective date of the Act enacting this chapter, the owner or owners
 2-17 of a majority of the assessed value of the real property in the
 2-18 district may submit a petition to the commission requesting that
 2-19 the commission appoint as temporary directors the five persons
 2-20 named in the petition. The commission shall appoint as temporary
 2-21 directors the five persons named in the petition.

2-22 (b) Temporary directors serve until the earlier of:

2-23 (1) the date permanent directors are elected under
 2-24 Section 7897.0103; or

2-25 (2) the fourth anniversary of the effective date of
 2-26 the Act enacting this chapter.

2-27 (c) If permanent directors have not been elected under
 2-28 Section 7897.0103 and the terms of the temporary directors have
 2-29 expired, successor temporary directors shall be appointed or
 2-30 reappointed as provided by Subsection (d) to serve terms that
 2-31 expire on the earlier of:

2-32 (1) the date permanent directors are elected under
 2-33 Section 7897.0103; or

2-34 (2) the fourth anniversary of the date of the
 2-35 appointment or reappointment.

2-36 (d) If Subsection (c) applies, the owner or owners of a
 2-37 majority of the assessed value of the real property in the district
 2-38 may submit a petition to the commission requesting that the
 2-39 commission appoint as successor temporary directors the five
 2-40 persons named in the petition. The commission shall appoint as
 2-41 successor temporary directors the five persons named in the
 2-42 petition.

2-43 SUBCHAPTER C. POWERS AND DUTIES

2-44 Sec. 7897.0301. GENERAL POWERS AND DUTIES. The district
 2-45 has the powers and duties necessary to accomplish the purposes for
 2-46 which the district is created.

2-47 Sec. 7897.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-48 DUTIES. The district has the powers and duties provided by the
 2-49 general law of this state, including Chapters 49 and 54, Water Code,
 2-50 applicable to municipal utility districts created under Section 59,
 2-51 Article XVI, Texas Constitution.

2-52 Sec. 7897.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-53 52, Article III, Texas Constitution, the district may design,
 2-54 acquire, construct, finance, issue bonds for, improve, operate,
 2-55 maintain, and convey to this state, a county, or a municipality for
 2-56 operation and maintenance macadamized, graveled, or paved roads, or
 2-57 improvements, including storm drainage, in aid of those roads.

2-58 Sec. 7897.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-59 road project must meet all applicable construction standards,
 2-60 zoning and subdivision requirements, and regulations of each
 2-61 municipality in whose corporate limits or extraterritorial
 2-62 jurisdiction the road project is located.

2-63 (b) If a road project is not located in the corporate limits
 2-64 or extraterritorial jurisdiction of a municipality, the road
 2-65 project must meet all applicable construction standards,
 2-66 subdivision requirements, and regulations of each county in which
 2-67 the road project is located.

2-68 (c) If the state will maintain and operate the road, the
 2-69 Texas Transportation Commission must approve the plans and

3-1 specifications of the road project.
3-2 Sec. 7897.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3-3 ORDINANCE OR RESOLUTION. The district shall comply with all
3-4 applicable requirements of any ordinance or resolution that is
3-5 adopted under Section 54.016 or 54.0165, Water Code, and that
3-6 consents to the creation of the district or to the inclusion of land
3-7 in the district.
3-8 Sec. 7897.0306. DIVISION OF DISTRICT. This chapter applies
3-9 to any new district created by the division of the district under
3-10 Section 49.316, Water Code, and a new district has all the powers
3-11 and duties of the district.
3-12 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
3-13 Sec. 7897.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
3-14 The district may issue, without an election, bonds and other
3-15 obligations secured by:
3-16 (1) revenue other than ad valorem taxes; or
3-17 (2) contract payments described by Section 7897.0403.
3-18 (b) The district must hold an election in the manner
3-19 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-20 before the district may impose an ad valorem tax or issue bonds
3-21 payable from ad valorem taxes.
3-22 (c) The district may not issue bonds payable from ad valorem
3-23 taxes to finance a road project unless the issuance is approved by a
3-24 vote of a two-thirds majority of the district voters voting at an
3-25 election held for that purpose.
3-26 Sec. 7897.0402. OPERATION AND MAINTENANCE TAX. (a) If
3-27 authorized at an election held under Section 7897.0401, the
3-28 district may impose an operation and maintenance tax on taxable
3-29 property in the district in accordance with Section 49.107, Water
3-30 Code.
3-31 (b) The board shall determine the tax rate. The rate may not
3-32 exceed the rate approved at the election.
3-33 Sec. 7897.0403. CONTRACT TAXES. (a) In accordance with
3-34 Section 49.108, Water Code, the district may impose a tax other than
3-35 an operation and maintenance tax and use the revenue derived from
3-36 the tax to make payments under a contract after the provisions of
3-37 the contract have been approved by a majority of the district voters
3-38 voting at an election held for that purpose.
3-39 (b) A contract approved by the district voters may contain a
3-40 provision stating that the contract may be modified or amended by
3-41 the board without further voter approval.
3-42 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS
3-43 Sec. 7897.0501. AUTHORITY TO ISSUE BONDS AND OTHER
3-44 OBLIGATIONS. The district may issue bonds or other obligations
3-45 payable wholly or partly from ad valorem taxes, impact fees,
3-46 revenue, contract payments, grants, or other district money, or any
3-47 combination of those sources, to pay for any authorized district
3-48 purpose.
3-49 Sec. 7897.0502. TAXES FOR BONDS. At the time the district
3-50 issues bonds payable wholly or partly from ad valorem taxes, the
3-51 board shall provide for the annual imposition of a continuing
3-52 direct ad valorem tax, without limit as to rate or amount, while all
3-53 or part of the bonds are outstanding as required and in the manner
3-54 provided by Sections 54.601 and 54.602, Water Code.
3-55 Sec. 7897.0503. BONDS FOR ROAD PROJECTS. At the time of
3-56 issuance, the total principal amount of bonds or other obligations
3-57 issued or incurred to finance road projects and payable from ad
3-58 valorem taxes may not exceed one-fourth of the assessed value of the
3-59 real property in the district.
3-60 SECTION 2. The Hills of Walnut Creek Municipal Utility
3-61 District of Parker County initially includes all the territory
3-62 contained in the following area:
3-63 BEING a tract of land situated in the G. Clifton Survey, Abstract
3-64 Number 1942, the T. & P. Railroad Company Survey, Abstract Number
3-65 1421, the W. Hall Survey, Abstract Number 2123, the R. Wright
3-66 Survey, Abstract Number 1636, the C. Gildon Survey, Abstract Number
3-67 523, the J. Wimbley Survey, Abstract Number 1612, and the T. & P.
3-68 Railroad Company Survey, Abstract Number 1377, Parker County,
3-69 Texas, being a portion of that tract of land described by deed to

4-1 MITX, LTD., Wells Reno Investors, LTD., and White Reno Investors,
4-2 LTD., recorded in Volume 2154, Page 1607, County Records, Parker
4-3 County, Texas, and being more particularly described by metes and
4-4 bounds as follows:
4-5 BEGINNING at the most westerly southwest corner of said MITX,
4-6 Wells, and White tract, the northwest corner of that tract of land
4-7 described by deed to Jesus R. Medina, et ux., recorded in Volume
4-8 2476, Page 1703, said County Records, and the east right-of-way
4-9 line of S. Reno Road (F.M. 1542, a variable width right-of-way);
4-10 THENCE N 00°16'43"E, 1314.90 feet, to the most westerly northwest
4-11 corner of said MITX, Wells, and White tract;
4-12 THENCE N 89°44'15"E, 1425.34 feet, to the southeast corner of that
4-13 tract of land described by deed to Barney and Shirley Stanford,
4-14 recorded in Volume 1155, Page 225 and the southwest corner of that
4-15 tract of land described by deed to Georgie Ann Morrow, recorded in
4-16 Instrument Number 201401446, both of said County Records;
4-17 THENCE N 89°18'15"E, 2101.36 feet, to the southeast corner of said
4-18 Georgie Morrow tract and the southwest corner of that tract of land
4-19 described by deed to Johnny F. Morrow, recorded in Volume 1720, Page
4-20 1798, said County Records;
4-21 THENCE N 89°45'38"E, 1692.96 feet, to the southeast corner of said
4-22 Johnny Morrow tract and an "ell" corner in the north line of said
4-23 MITX, Wells, and White tract;
4-24 THENCE N 00°13'36"W, 2251.38 feet, with the east line of said Johnny
4-25 Morrow tract and the approximate centerline of Walnut Creek;
4-26 THENCE with said centerline, the following bearings and distances:
4-27 S 47°38'48"E, 471.49 feet;
4-28 S 58°04'22"E, 155.77 feet;
4-29 S 66°39'46"E, 575.57 feet;
4-30 S 76°47'59"E, 160.75 feet;
4-31 N 85°32'30"E, 458.61 feet;
4-32 N 89°02'03"E, 199.40 feet;
4-33 S 76°13'41"E, 149.22 feet;
4-34 S 46°16'57"E, 152.45 feet;
4-35 S 25°11'46"E, 264.45 feet;
4-36 S 61°54'17"E, 236.98 feet;
4-37 S 80°32'04"E, 318.93 feet;
4-38 S 51°50'03"E, 470.97 feet;
4-39 N 83°46'19"E, 235.80 feet;
4-40 S 83°31'07"E, 206.49 feet;
4-41 S 88°41'18"E, 339.09 feet;
4-42 S 66°11'45"E, 321.05 feet, to the northeast corner of said
4-43 MITX, Wells, and White tract and the west line of that tract
4-44 of land described by deed to Charles and Carolyn Sonnenburg,
4-45 recorded in Volume 1002, Page 163, said County Records;
4-46 THENCE with the east line of said MITX, Wells, and White tract, the
4-47 following bearings and distances:
4-48 S 00°10'25"E, 2058.07 feet, to the southwest corner of that
4-49 tract of land described by deed to Jose J. Clemente, recorded
4-50 in Instrument Number 201711878, all of said County
4-51 Records;
4-52 S 00°18'39"E, 1192.13 feet, to the most easterly southeast
4-53 corner of said MITX, Wells, and White tract;
4-54 S 89°27'00"W, 1519.03 feet, to an "ell" corner in said east
4-55 line and the northwest corner of Lot 1, Jackson Trail
4-56 Estates, an addition to Parker County, Texas, by plat
4-57 recorded in Volume 363-A, Page 33, said County Records;
4-58 THENCE S 89°41'12"W, 2649.54 feet, over and across said MITX, Wells,
4-59 and White tract;
4-60 THENCE S 00°57'03"E, 901.92 feet, continuing over and across said
4-61 MITX, Wells, and White tract, to an "ell" corner in the west line of
4-62 said MITX, Wells, and White tract and the northeast corner of Lot 1
4-63 Pearson Crossing, an addition to Parker County, Texas, by plat
4-64 recorded in Cabinet B, Slide 548, said County Records;
4-65 THENCE with said west line, the following bearings and distances:
4-66 S 89°37'15"W, 1324.85 feet, to the northwest corner of Lot 7,
4-67 said Pearson Crossing and the northeast corner of that tract
4-68 of land described by deed to Everardo D. Ramirez, LLC,
4-69 recorded in Instrument Number 202042879, said County

5-1 Records;
 5-2 S 89°51'18"W, 670.75 feet, to the northwest corner of that
 5-3 tract of land described by deed to RBBR Enterprises, Inc.,
 5-4 recorded in Instrument Number 201703769 and the east line of
 5-5 that tract of land described by deed to Terry Lee and Eva Joan
 5-6 Benton, recorded in Volume 1775, Page 1572, both of said
 5-7 County Records;
 5-8 N 00°16'37"W, 901.42 feet, to the northeast corner of said
 5-9 Benton tract;
 5-10 N 89°29'00"W, 624.44 feet, to the southeast corner of that
 5-11 tract of land described by deed to Clyda Sue Johnson,
 5-12 recorded in Instrument Number 202012870, said County
 5-13 Records;
 5-14 N 00°38'10"W, 1314.40 feet, to the northeast corner of said
 5-15 Johnson tract;

5-16 THENCE S 89°08'05"W, 2593.70 feet, to the Point of Beginning and
 5-17 containing 28,443,549 square feet or 652.974 acres of land more or
 5-18 less.

5-19 SECTION 3. (a) The legal notice of the intention to
 5-20 introduce this Act, setting forth the general substance of this
 5-21 Act, has been published as provided by law, and the notice and a
 5-22 copy of this Act have been furnished to all persons, agencies,
 5-23 officials, or entities to which they are required to be furnished
 5-24 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 5-25 Government Code.

5-26 (b) The governor, one of the required recipients, has
 5-27 submitted the notice and Act to the Texas Commission on
 5-28 Environmental Quality.

5-29 (c) The Texas Commission on Environmental Quality has filed
 5-30 its recommendations relating to this Act with the governor, the
 5-31 lieutenant governor, and the speaker of the house of
 5-32 representatives within the required time.

5-33 (d) All requirements of the constitution and laws of this
 5-34 state and the rules and procedures of the legislature with respect
 5-35 to the notice, introduction, and passage of this Act are fulfilled
 5-36 and accomplished.

5-37 SECTION 4. (a) If this Act does not receive a two-thirds
 5-38 vote of all the members elected to each house, Subchapter C, Chapter
 5-39 7897, Special District Local Laws Code, as added by Section 1 of
 5-40 this Act, is amended by adding Section 7897.0307 to read as follows:

5-41 Sec. 7897.0307. NO EMINENT DOMAIN POWER. The district may
 5-42 not exercise the power of eminent domain.

5-43 (b) This section is not intended to be an expression of a
 5-44 legislative interpretation of the requirements of Section 17(c),
 5-45 Article I, Texas Constitution.

5-46 SECTION 5. This Act takes effect immediately if it receives
 5-47 a vote of two-thirds of all the members elected to each house, as
 5-48 provided by Section 39, Article III, Texas Constitution. If this
 5-49 Act does not receive the vote necessary for immediate effect, this
 5-50 Act takes effect September 1, 2025.

5-51 * * * * *