

1-1 By: Sanford (Senate Sponsor - Springer) H.B. No. 4665  
 1-2 (In the Senate - Received from the House May 17, 2021;  
 1-3 May 17, 2021, read first time and referred to Committee on Local  
 1-4 Government; May 22, 2021, reported favorably by the following  
 1-5 vote: Yeas 7, Nays 0; May 22, 2021, 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	X			
1-16	X			

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

1-19 relating to the creation of the Raintree Municipal Utility District  
 1-20 No. 1 of Collin County; granting a limited power of eminent domain;  
 1-21 providing authority to issue bonds; providing authority to impose  
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
 1-25 Code, is amended by adding Chapter 7937A to read as follows:

1-26 CHAPTER 7937A. RAIN TREE MUNICIPAL UTILITY DISTRICT NO. 1 OF COLLIN  
 1-27 COUNTY

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 7937A.0101. DEFINITIONS. In this chapter:

1-30 (1) "Board" means the district's board of directors.

1-31 (2) "Commission" means the Texas Commission on  
 1-32 Environmental Quality.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the Raintree Municipal Utility  
 1-35 District No. 1 of Collin County.

1-36 Sec. 7937A.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. 7937A.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. 7937A.0104. CONDITIONS PRECEDENT TO CONFIRMATION  
 1-44 ELECTION. (a) The temporary directors may not hold an election  
 1-45 under Section 7937A.0103 until:

1-46 (1) each municipality in whose corporate limits or  
 1-47 extraterritorial jurisdiction the district is located has  
 1-48 consented by ordinance or resolution to the creation of the  
 1-49 district and to the inclusion of land in the district; and

1-50 (2) the district has entered into a contract with a  
 1-51 municipality, Collin County, or another entity:

1-52 (A) for adequate supplemental police, fire,  
 1-53 emergency, and animal control services for the district; and

1-54 (B) that is approved by the Commissioners Court  
 1-55 of Collin County under Subsection (c).

1-56 (b) A contract under Subsection (a) may include a provision  
 1-57 that the contract takes effect only on the approval of the  
 1-58 Commissioners Court of Collin County and the voters in the district  
 1-59 voting in an election held for that purpose.

1-60 (c) The Commissioners Court of Collin County shall review a  
 1-61 contract under Subsection (a) and evaluate the supplemental police,

2-1 fire, emergency, and animal control services provided in the  
 2-2 contract. If the commissioners court determines that the contract  
 2-3 provides adequate services, the commissioners court shall adopt a  
 2-4 resolution stating that the contract has met the requirements of  
 2-5 Subsection (a).

2-6 Sec. 7937A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

2-7 (a) The district is created to serve a public purpose and benefit.

2-8 (b) The district is created to accomplish the purposes of:

2-9 (1) a municipal utility district as provided by  
 2-10 general law and Section 59, Article XVI, Texas Constitution; and

2-11 (2) Section 52, Article III, Texas Constitution, that  
 2-12 relate to the construction, acquisition, improvement, operation,  
 2-13 or maintenance of macadamized, graveled, or paved roads, or  
 2-14 improvements, including storm drainage, in aid of those roads.

2-15 Sec. 7937A.0106. INITIAL DISTRICT TERRITORY. (a) The  
 2-16 district is initially composed of the territory described by  
 2-17 Section 2 of the Act enacting this chapter.

2-18 (b) The boundaries and field notes contained in Section 2 of  
 2-19 the Act enacting this chapter form a closure. A mistake made in the  
 2-20 field notes or in copying the field notes in the legislative process  
 2-21 does not affect the district's:

2-22 (1) organization, existence, or validity;

2-23 (2) right to issue any type of bond for the purposes  
 2-24 for which the district is created or to pay the principal of and  
 2-25 interest on a bond;

2-26 (3) right to impose a tax; or

2-27 (4) legality or operation.

2-28 SUBCHAPTER B. BOARD OF DIRECTORS

2-29 Sec. 7937A.0201. GOVERNING BODY; TERMS. (a) The district  
 2-30 is governed by a board of five elected directors.

2-31 (b) Except as provided by Section 7937A.0202, directors  
 2-32 serve staggered four-year terms.

2-33 Sec. 7937A.0202. TEMPORARY DIRECTORS. (a) On or after the  
 2-34 effective date of the Act enacting this chapter, the owner or owners  
 2-35 of a majority of the assessed value of the real property in the  
 2-36 district may submit a petition to the commission requesting that  
 2-37 the commission appoint as temporary directors the five persons  
 2-38 named in the petition. The commission shall appoint as temporary  
 2-39 directors the five persons named in the petition.

2-40 (b) Temporary directors serve until the earlier of:

2-41 (1) the date permanent directors are elected under  
 2-42 Section 7937A.0103; or

2-43 (2) the fourth anniversary of the effective date of  
 2-44 the Act enacting this chapter.

2-45 (c) If permanent directors have not been elected under  
 2-46 Section 7937A.0103 and the terms of the temporary directors have  
 2-47 expired, successor temporary directors shall be appointed or  
 2-48 reappointed as provided by Subsection (d) to serve terms that  
 2-49 expire on the earlier of:

2-50 (1) the date permanent directors are elected under  
 2-51 Section 7937A.0103; or

2-52 (2) the fourth anniversary of the date of the  
 2-53 appointment or reappointment.

2-54 (d) If Subsection (c) applies, the owner or owners of a  
 2-55 majority of the assessed value of the real property in the district  
 2-56 may submit a petition to the commission requesting that the  
 2-57 commission appoint as successor temporary directors the five  
 2-58 persons named in the petition. The commission shall appoint as  
 2-59 successor temporary directors the five persons named in the  
 2-60 petition.

2-61 SUBCHAPTER C. POWERS AND DUTIES

2-62 Sec. 7937A.0301. GENERAL POWERS AND DUTIES. The district  
 2-63 has the powers and duties necessary to accomplish the purposes for  
 2-64 which the district is created.

2-65 Sec. 7937A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-66 DUTIES. The district has the powers and duties provided by the  
 2-67 general law of this state, including Chapters 49 and 54, Water Code,  
 2-68 applicable to municipal utility districts created under Section 59,  
 2-69 Article XVI, Texas Constitution.

3-1 Sec. 7937A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
3-2 Section 52, Article III, Texas Constitution, the district may  
3-3 design, acquire, construct, finance, issue bonds for, improve,  
3-4 operate, maintain, and convey to this state, a county, or a  
3-5 municipality for operation and maintenance macadamized, graveled,  
3-6 or paved roads, or improvements, including storm drainage, in aid  
3-7 of those roads.

3-8 Sec. 7937A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
3-9 road project must meet all applicable construction standards,  
3-10 zoning and subdivision requirements, and regulations of each  
3-11 municipality in whose corporate limits or extraterritorial  
3-12 jurisdiction the road project is located.

3-13 (b) If a road project is not located in the corporate limits  
3-14 or extraterritorial jurisdiction of a municipality, the road  
3-15 project must meet all applicable construction standards,  
3-16 subdivision requirements, and regulations of each county in which  
3-17 the road project is located.

3-18 (c) If the state will maintain and operate the road, the  
3-19 Texas Transportation Commission must approve the plans and  
3-20 specifications of the road project.

3-21 Sec. 7937A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
3-22 ORDINANCE OR RESOLUTION. The district shall comply with all  
3-23 applicable requirements of any ordinance or resolution that is  
3-24 adopted under Section 54.016 or 54.0165, Water Code, and that  
3-25 consents to the creation of the district or to the inclusion of land  
3-26 in the district.

3-27 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-28 Sec. 7937A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
3-29 The district may issue, without an election, bonds and other  
3-30 obligations secured by:

- 3-31 (1) revenue other than ad valorem taxes; or
  - 3-32 (2) contract payments described by Section
- 3-33 7937A.0403.

3-34 (b) The district must hold an election in the manner  
3-35 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
3-36 before the district may impose an ad valorem tax or issue bonds  
3-37 payable from ad valorem taxes.

3-38 (c) The district may not issue bonds payable from ad valorem  
3-39 taxes to finance a road project unless the issuance is approved by a  
3-40 vote of a two-thirds majority of the district voters voting at an  
3-41 election held for that purpose.

3-42 Sec. 7937A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
3-43 authorized at an election held under Section 7937A.0401, the  
3-44 district may impose an operation and maintenance tax on taxable  
3-45 property in the district in accordance with Section 49.107, Water  
3-46 Code.

3-47 (b) The board shall determine the tax rate. The rate may not  
3-48 exceed the rate approved at the election.

3-49 Sec. 7937A.0403. CONTRACT TAXES. (a) In accordance with  
3-50 Section 49.108, Water Code, the district may impose a tax other than  
3-51 an operation and maintenance tax and use the revenue derived from  
3-52 the tax to make payments under a contract after the provisions of  
3-53 the contract have been approved by a majority of the district voters  
3-54 voting at an election held for that purpose.

3-55 (b) A contract approved by the district voters may contain a  
3-56 provision stating that the contract may be modified or amended by  
3-57 the board without further voter approval.

3-58 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-59 Sec. 7937A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
3-60 OBLIGATIONS. The district may issue bonds or other obligations  
3-61 payable wholly or partly from ad valorem taxes, impact fees,  
3-62 revenue, contract payments, grants, or other district money, or any  
3-63 combination of those sources, to pay for any authorized district  
3-64 purpose.

3-65 Sec. 7937A.0502. TAXES FOR BONDS. At the time the district  
3-66 issues bonds payable wholly or partly from ad valorem taxes, the  
3-67 board shall provide for the annual imposition of a continuing  
3-68 direct ad valorem tax, without limit as to rate or amount, while all  
3-69 or part of the bonds are outstanding as required and in the manner

4-1 provided by Sections 54.601 and 54.602, Water Code.

4-2 Sec. 7937A.0503. BONDS FOR ROAD PROJECTS. At the time of  
 4-3 issuance, the total principal amount of bonds or other obligations  
 4-4 issued or incurred to finance road projects and payable from ad  
 4-5 valorem taxes may not exceed one-fourth of the assessed value of the  
 4-6 real property in the district.

4-7 SECTION 2. The Raintree Municipal Utility District No. 1 of  
 4-8 Collin County initially includes all the territory contained in the  
 4-9 following area:

4-10 FIELD NOTES to all that certain lot, tract or parcel of land  
 4-11 situated in the CARTER T. CLIFFT SURVEY, ABSTRACT NUMBER 162,  
 4-12 Collin County, Texas, and being all of a called 160.25 acre tract of  
 4-13 land described in the deed to Patel & Patel LLC, Poonuru LLC, Bade  
 4-14 LLC, Duggi LLC, Yukta LLC, VSAP Investments LLC, DGN Capital  
 4-15 Management LLC, Dakuri LLC, Andrewakka LLC, and KPNR LLC recorded  
 4-16 in Instrument Number 20190823001035060, Official Public Records,  
 4-17 Collin County, Texas the subject tract being more particularly  
 4-18 described as follows:

4-19 BEGINNING at a railroad spike found in the center of an asphalt road  
 4-20 under apparent public use posted County Road 470 for the Northeast  
 4-21 corner of said 160.25 acre tract of land, same being the Northwest  
 4-22 corner of a called 2.342 acre tract of land described in the deed to  
 4-23 Itzel Torres recorded in Instrument Number 20201215002253760,  
 4-24 Official Public Records, Collin County, Texas and being in the  
 4-25 South line of a called 154.506 acre tract of land described as  
 4-26 "Tract 3" in the deed to Jimmy Lawson, Trustee of The Jimmy Lawson  
 4-27 GST Trust, Dated August 13, 2003 recorded in Instrument Number  
 4-28 2003-0228722, Official Public Records, Collin County, Texas;

4-29 THENCE South 00 Degrees 32 Minutes 19 Seconds West with the East  
 4-30 line of said 160.25 acre tract of land, and the West line of said  
 4-31 2.342 acre tract of land, along or near a fence, a distance of  
 4-32 3,128.97 feet to a 2 inch metal fence corner post found for the  
 4-33 occupied and recognized Southeast corner of said 160.25 acre tract  
 4-34 of land, and the Southwest corner of the remainder of a called  
 4-35 36.754 acre tract of land described in the deed to Leticia Torres  
 4-36 recorded in Instrument Number 2004-0148472, Official Public  
 4-37 Records, Collin County, Texas and being in the North line of a  
 4-38 called 89.273 acre tract of land described in the deed to BHMM Group  
 4-39 Family Partnership, LTD recorded in Instrument Number  
 4-40 20170516000625330, Official Public Records, Collin County, Texas;  
 4-41 THENCE North 89 Degrees 16 Minutes 06 Seconds West with the South  
 4-42 line of said 160.25 acre tract of land and the North line of said  
 4-43 89.273 acre tract of land, along or near a fence, a distance of  
 4-44 895.41 feet to a 1/2 inch iron rod found at the north base of a metal  
 4-45 fence corner post for corner, same being the Northwest corner of  
 4-46 said 89.273 acre tract of land and the Northeast corner of the  
 4-47 remainder of a called 73.69 acre tract of land described in the deed  
 4-48 to Emma Evelyn Smith Living Revocable Trust recorded in Instrument  
 4-49 Number 2001-0014244, Official Public Records, Collin County,  
 4-50 Texas;

4-51 THENCE North 88 Degrees 33 Minutes 14 Seconds West with the South  
 4-52 line of said 160.25 acre tract of land and the North line of said  
 4-53 73.69 acre tract of land, along or near a fence, a distance of  
 4-54 1,540.53 feet to a wood fence corner post found for the Southwest  
 4-55 corner of said 160.25 acre tract of land, same being the Southeast  
 4-56 corner of a called 125.534 acre tract of land described in the deed  
 4-57 to MAS Ranch recorded in Instrument Number 20170329000400410,  
 4-58 Official Public Records, Collin County, Texas and being in the  
 4-59 North line of a tract of land described in the deed to Malinda A.  
 4-60 Warden recorded in Volume 3486, Page 130, Deed Records, Collin  
 4-61 County, Texas;

4-62 THENCE North 00 Degrees 45 Minutes 21 Seconds East with the West  
 4-63 line of said 160.25 acre tract of land and the East line of a said  
 4-64 125.534 acre tract of land, along or near a fence, passing at a  
 4-65 distance of 2713.78 feet a 6 inch wood fence corner post on the  
 4-66 South line of said County Road 470, and continuing a total distance  
 4-67 of 2,740.07 feet to railroad spike found in the center of said  
 4-68 County Road 470 for the Northwest corner of said 160.25 acre tract  
 4-69 of land;



5-1 THENCE with the North line of said 160.25 acre tract of land and  
5-2 along the centerline of said County Road 470 the following courses  
5-3 and distances:  
5-4 South 83 Degrees 46 Minutes 01 Seconds East a distance of 189.55  
5-5 feet to a Mag nail found for corner;  
5-6 South 84 Degrees 49 Minutes 37 Seconds East a distance of 138.51  
5-7 feet to a Mag nail set for corner;  
5-8 South 85 Degrees 01 Minutes 51 Seconds East a distance of 235.40  
5-9 feet to a Mag nail found for corner;  
5-10 North 89 Degrees 27 Minutes 18 Seconds East a distance of 271.52  
5-11 feet to a Mag nail found for corner;  
5-12 North 81 Degrees 57 Minutes 17 Seconds East a distance of 294.96  
5-13 feet to a PK nail found for corner, same being the Southwest corner  
5-14 of said 154.506 acre tract of land;  
5-15 THENCE with the North line of said 160.25 acre tract of land, the  
5-16 South line of said 154.506 acre tract of land and along the  
5-17 centerline of said County Road 470 the following courses and  
5-18 distances:  
5-19 North 72 Degrees 40 Minutes 13 Seconds East a distance of 236.87  
5-20 feet to a Mag nail set for corner in a curve to the left, concave to  
5-21 the Northwest, with a radius of 1,243.31 feet, a delta angle of 11  
5-22 Degrees 39 Minutes 20 Seconds, a chord bearing of North 65 Degrees  
5-23 00 Minutes 47 Seconds East, and a chord length of 252.52;  
5-24 Northeasterly along said curve to the left an arc length of 252.92  
5-25 feet to a Mag nail found for corner at the beginning of a reverse  
5-26 curve to the right, concave to the Southeast, with a radius of  
5-27 2,077.41 feet, a delta angle of 06 Degrees 04 Minutes 04 Seconds, a  
5-28 chord bearing of North 62 Degrees 05 Minutes 32 Seconds East, and a  
5-29 chord length of 219.93 feet;  
5-30 Northeasterly with said curve to the right an arc length of 220.00  
5-31 feet to a Mag nail found for corner at a point of a compound curve to  
5-32 the right, concave to the Southeast, with a radius of 781.42 feet, a  
5-33 delta angle of 14 Degrees 18 Minutes 35 Seconds, a chord bearing of  
5-34 North 74 Degrees 09 Minutes 45 Seconds East, and a chord length of  
5-35 194.68 feet;  
5-36 Easterly with said curve to the right an arc length of 195.16 feet  
5-37 to a Mag nail found for corner at the point of a compound curve to  
5-38 the right, concave to the Southeast, with a radius of 1,276.37, a  
5-39 delta angle of 06 Degrees 15 Minutes 19 Seconds, with a chord  
5-40 bearing of North 82 Degrees 38 Minutes 41 Seconds East, and a chord  
5-41 length of 139.30 feet;  
5-42 Easterly with a said curve to the right an arc length of 139.35 feet  
5-43 to a Mag nail found for corner at the point of a compound curve to  
5-44 the right, concave to the South, with a radius of 1,453.08 feet, a  
5-45 delta angle of 06 Degrees 21 Minutes 28 Seconds, a chord bearing of  
5-46 North 88 Degrees 49 Minutes 29 Seconds East, and a chord length of  
5-47 161.18 feet;  
5-48 Easterly with said curve to the right an arc length of 161.24 feet  
5-49 to a Mag nail set for corner at the point of a compound curve to the  
5-50 right, concave to the South, with a radius of 55,010.84 feet, a  
5-51 delta angle of 00 Degrees 10 Minutes 31 Seconds, a chord bearing of  
5-52 South 87 Degrees 54 Minutes 31 Seconds East, and a chord length of  
5-53 168.36 feet;  
5-54 Easterly with said curve to the right with an arc length of 168.34  
5-55 feet to the POINT OF BEGINNING and enclosing 160.23 acres of land,  
5-56 more or less.

5-57 SECTION 3. (a) The legal notice of the intention to  
5-58 introduce this Act, setting forth the general substance of this  
5-59 Act, has been published as provided by law, and the notice and a  
5-60 copy of this Act have been furnished to all persons, agencies,  
5-61 officials, or entities to which they are required to be furnished  
5-62 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
5-63 Government Code.

5-64 (b) The governor, one of the required recipients, has  
5-65 submitted the notice and Act to the Texas Commission on  
5-66 Environmental Quality.

5-67 (c) The Texas Commission on Environmental Quality has filed  
5-68 its recommendations relating to this Act with the governor, the  
5-69 lieutenant governor, and the speaker of the house of

6-1 representatives within the required time.

6-2 (d) All requirements of the constitution and laws of this  
6-3 state and the rules and procedures of the legislature with respect  
6-4 to the notice, introduction, and passage of this Act are fulfilled  
6-5 and accomplished.

6-6 SECTION 4. (a) If this Act does not receive a two-thirds  
6-7 vote of all the members elected to each house, Subchapter C, Chapter  
6-8 7937A, Special District Local Laws Code, as added by Section 1 of  
6-9 this Act, is amended by adding Section 7937A.0306 to read as  
6-10 follows:

6-11 Sec. 7937A.0306. NO EMINENT DOMAIN POWER. The district may  
6-12 not exercise the power of eminent domain.

6-13 (b) This section is not intended to be an expression of a  
6-14 legislative interpretation of the requirements of Section 17(c),  
6-15 Article I, Texas Constitution.

6-16 SECTION 5. This Act takes effect immediately if it receives  
6-17 a vote of two-thirds of all the members elected to each house, as  
6-18 provided by Section 39, Article III, Texas Constitution. If this  
6-19 Act does not receive the vote necessary for immediate effect, this  
6-20 Act takes effect September 1, 2021.

6-21

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