

By: Jackson

S.B. No. 1807

Substitute the following for S.B. No. 1807:

By: Puente

C.S.S.B. No. 1807

A BILL TO BE ENTITLED

AN ACT

relating to the power and duties of the Galveston County Municipal Utility District No. 52.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8148 to read as follows:

CHAPTER 8148. GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT

NO. 52

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8148.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Director" means a member of the board.

(3) "District" means the Galveston County Municipal Utility District No. 52.

Sec. 8148.002. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

All land and other property included in the district will benefit from the works and projects to be provided by the district under powers conferred by Section 59, Article XVI, Texas Constitution.

(b) The district exists to accomplish:

(1) the same purposes as a municipal utility district as provided by Section 54.012, Water Code;

(2) the same purposes as a navigation district created under Section 59, Article XVI, Texas Constitution, and operating

1 under Chapters 60 and 62, Water Code; and

2 (3) to the extent authorized by Section 52, Article  
3 III, Texas Constitution, the construction, acquisition,  
4 improvement, maintenance, or operation of macadamized, graveled,  
5 or paved roads or turnpikes, or improvements in aid of those roads  
6 or turnpikes, inside the district.

7 [Sections 8148.003-8148.050 reserved for expansion]

8 SUBCHAPTER B. POWERS AND DUTIES

9 Sec. 8148.051. MUNICIPAL UTILITY DISTRICT POWERS AND  
10 DUTIES. The district has the powers and duties provided by the  
11 general law of this state, including Chapters 49 and 54, Water Code,  
12 applicable to municipal utility districts created under Section 59,  
13 Article XVI, Texas Constitution.

14 Sec. 8148.052. NAVIGATION POWERS. The district may  
15 purchase, construct, acquire, own, operate, maintain, improve, or  
16 extend, inside and outside the district, canals, waterways,  
17 bulkheads, docks, and any other improvements or facilities  
18 necessary or convenient to accomplish the navigation purposes of  
19 the district authorized by Section 59, Article XVI, Texas  
20 Constitution.

21 Sec. 8148.053. ROAD PROJECTS. (a) The district may  
22 construct, acquire, improve, maintain, or operate macadamized,  
23 graveled, or paved roads or turnpikes, or improvements in aid of  
24 those roads or turnpikes, inside the district.

25 (b) A road project must meet all applicable construction  
26 standards, zoning and subdivision requirements, and regulatory  
27 ordinances of the municipality or county in whose jurisdiction the

1 district is located.

2 (c) The district may not undertake a road project unless  
3 each municipality or county in whose jurisdiction the district is  
4 located consents by ordinance or resolution.

5 Sec. 8148.054. COMPLIANCE WITH MUNICIPAL CONSENT  
6 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section  
7 54.016, Water Code, the district shall comply with all applicable  
8 requirements of any ordinance or resolution adopted by the city  
9 council of the City of Texas City that consents to the creation of  
10 the district or to the inclusion of lands within the district.

11 Sec. 8148.055. LIMITATION ON USE OF EMINENT DOMAIN. The  
12 district may exercise the power of eminent domain outside the  
13 district only to acquire an easement necessary for underground  
14 water, sewage, or drainage facilities that serve the district.

15 [Sections 8148.056-8148.100 reserved for expansion]

16 SUBCHAPTER C. BONDS

17 Sec. 8148.101. AUTHORITY TO ISSUE BONDS AND OTHER  
18 OBLIGATIONS. (a) The district may issue bonds or other obligations  
19 as provided by Chapters 49 and 54, Water Code, to finance the  
20 construction, maintenance, or operation of projects under Section  
21 8148.053.

22 (b) The district may not issue bonds to finance projects  
23 authorized by Section 8148.053 unless the issuance is approved by a  
24 vote of a two-thirds majority of the voters of the district voting  
25 at an election called for that purpose.

26 (c) Bonds or other obligations issued or incurred to finance  
27 projects authorized by Section 8148.053 may not exceed one-fourth

1 of the assessed value of the real property in the district.

2 (d) Sections 49.181 and 49.182, Water Code, do not apply to  
3 a project undertaken by the district under Section 8148.053 or to  
4 bonds issued by the district to finance the project.

5 SECTION 2. (a) The legal notice of the intention to  
6 introduce this Act, setting forth the general substance of this  
7 Act, has been published as provided by law, and the notice and a  
8 copy of this Act have been furnished to all persons, agencies,  
9 officials, or entities to which they are required to be furnished  
10 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
11 Government Code.

12 (b) The governor, one of the required recipients, has  
13 submitted the notice and Act to the Texas Commission on  
14 Environmental Quality.

15 (c) The Texas Commission on Environmental Quality has filed  
16 its recommendations relating to this Act with the governor, the  
17 lieutenant governor, and the speaker of the house of  
18 representatives within the required time.

19 (d) All requirements of the constitution and laws of this  
20 state and the rules and procedures of the legislature with respect  
21 to the notice, introduction, and passage of this Act are fulfilled  
22 and accomplished.

23 SECTION 3. This Act takes effect immediately if it receives  
24 a vote of two-thirds of all the members elected to each house, as  
25 provided by Section 39, Article III, Texas Constitution. If this  
26 Act does not receive the vote necessary for immediate effect, this  
27 Act takes effect September 1, 2005.