

By: Jackson

S.B. No. 1864

A BILL TO BE ENTITLED

AN ACT

relating to the powers of the Galveston County Municipal Utility District No. 51, including powers related to the construction, maintenance, operation, and financing of roads or turnpikes; providing the authority to impose taxes and issue bonds.

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 8130 to read as follows:

CHAPTER 8130. GALVESTON COUNTY MUNICIPAL UTILITY

DISTRICT NO. 51

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8130.001. DEFINITION. In this chapter, "district" means the Galveston County Municipal Utility District No. 51.

Sec. 8130.002. NATURE OF DISTRICT. The district is a municipal utility district in Galveston County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8130.003. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, the following laws apply to the district:

(1) Chapters 49 and 54, Water Code, including Subchapter J, Chapter 54, Water Code, notwithstanding the limitation on authorization based on acreage under Section 54.801 of that code; and

1           (2) Section 52(b)(3), Article III, Texas  
2 Constitution.

3           [Sections 8130.004-8130.050 reserved for expansion]

4                   SUBCHAPTER B. POWERS AND DUTIES

5           Sec. 8130.051. ROAD PROJECTS. The district may provide for  
6 the construction, maintenance, and operation of macadamized,  
7 graveled, or paved roads or turnpikes, or works, facilities, or  
8 improvements in aid of those roads or turnpikes, inside or outside  
9 the district to the extent authorized by Section 52, Article III,  
10 Texas Constitution.

11           [Sections 8130.052-8130.100 reserved for expansion]

12                   SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

13           Sec. 8130.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The  
14 district may impose a tax to pay the principal of or interest on  
15 bonds issued under Section 8130.151.

16           [Sections 8130.102-8130.150 reserved for expansion]

17                   SUBCHAPTER D. BONDS

18           Sec. 8130.151. AUTHORITY TO ISSUE BONDS FOR ROAD PROJECTS.

19 (a) The district may issue bonds or other obligations as provided  
20 by Chapters 49 and 54, Water Code, to finance the construction,  
21 maintenance, or operation of projects under Section 8130.051.

22           (b) The district may not issue bonds or other obligations  
23 secured in whole or in part by ad valorem taxation to finance  
24 projects authorized by Section 8130.051 unless the issuance is  
25 approved by a vote of a two-thirds majority of the voters of the  
26 district or of the defined area to be benefited by the project as  
27 provided by Subchapter J, Chapter 54, Water Code, voting at an

1 election called for that purpose. The simple majority vote  
2 approval required by Section 54.808(a), Water Code, does not apply  
3 to an election under this subsection.

4 (c) Bonds or other obligations issued or incurred to finance  
5 projects authorized by Section 8130.051 may not exceed one-fourth  
6 of the assessed value of the real property in the district or the  
7 defined area, as applicable.

8 (d) Sections 49.181, 49.182, and 50.107, Water Code, do not  
9 apply to a project undertaken by the district under Section  
10 8130.051 or to bonds issued by the district to finance the project.

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

18 (b) The governor, one of the required recipients, has  
19 submitted the notice and Act to the Texas Commission on  
20 Environmental Quality.

21 (c) The Texas Commission on Environmental Quality has filed  
22 its recommendations relating to this Act with the governor, the  
23 lieutenant governor, and the speaker of the house of  
24 representatives within the required time.

25 (d) All requirements of the constitution and laws of this  
26 state and the rules and procedures of the legislature with respect  
27 to the notice, introduction, and passage of this Act are fulfilled

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1 and accomplished.

2 SECTION 3. This Act takes effect September 1, 2005.