

By: Van Arsdale

H.B. No. 4018

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Harris County Municipal Utility District No. 416; providing authority to impose a tax 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 8255 to read as follows:

CHAPTER 8255. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 416

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8255.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Harris County Municipal Utility District No. 416.

Sec. 8255.002. NATURE OF DISTRICT. (a) The district is a municipal utility district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

(b) The district, to the extent authorized by Section 8255.052 of this code and Section 52, Article III, Texas Constitution, has road powers.

Sec. 8255.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All land and other property in the district will benefit from the improvements and services to be provided by the district.

1 [Sections 8255.004-8255.050 reserved for expansion]

2 SUBCHAPTER B. POWERS AND DUTIES

3 Sec. 8255.051. MUNICIPAL UTILITY DISTRICT POWERS AND
4 DUTIES. (a) The district has the powers and duties necessary to
5 accomplish the purposes for which the district is created.

6 (b) The district has the powers and duties provided by the
7 general law of this state, including Chapters 49 and 54, Water Code,
8 applicable to municipal utility districts created under Section 59,
9 Article XVI, Texas Constitution.

10 Sec. 8255.052. ROAD PROJECTS. (a) Under Section 52,
11 Article III, Texas Constitution, the district may finance,
12 construct, or acquire a road project as provided by this section.

13 (b) The district shall employ or contract with a licensed
14 engineer to certify whether a proposed road project meets the
15 criteria for a thoroughfare, arterial, or collector road of:

16 (1) a county in whose jurisdiction the proposed road
17 project is located; or

18 (2) a municipality in whose corporate limits or
19 extraterritorial jurisdiction the proposed road project is
20 located.

21 (c) The district may finance, construct, or acquire a
22 thoroughfare, arterial, or collector road that has been certified
23 by the licensed engineer, or any improvements in aid of the road.

24 (d) A road project must meet all applicable standards,
25 regulations, ordinances, or orders of:

26 (1) each municipality in whose corporate limits or
27 extraterritorial jurisdiction the road project is located; and

1 (2) each county in which the road project is located if
2 the road project is not located in the corporate limits of a
3 municipality.

4 (e) The district may, with the consent of the municipality
5 or county, convey a completed road project to:

6 (1) a municipality in whose corporate limits or
7 extraterritorial jurisdiction the road project is located; or

8 (2) a county in which the road project is located.

9 [Sections 8255.053-8255.100 reserved for expansion]

10 SUBCHAPTER C. BONDS

11 Sec. 8255.101. AUTHORITY TO ISSUE BONDS AND OTHER
12 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
13 other obligations payable wholly or partly from ad valorem taxes,
14 impact fees, revenue, grants, or other district money, or any
15 combination of those sources, to pay for road projects under
16 Section 8255.052.

17 (b) The district may not issue bonds payable from ad valorem
18 taxes to finance a road project unless the issuance is approved by a
19 vote of a two-thirds majority of the voters of the district voting
20 at an election called for that purpose.

21 (c) The total principal amount of bonds, notes, or other
22 obligations issued or incurred to finance road projects may not
23 exceed one-fourth of the assessed value of the real property in the
24 district according to the most recent certified appraisal roll for
25 Harris County.

26 SECTION 2. The Harris County Municipal Utility District No.
27 416 retains all the rights, powers, privileges, authority, duties,

1 and functions that it had before the effective date of this Act.

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

9 (b) The governor, one of the required recipients, has
10 submitted the notice and Act to the Texas Commission on
11 Environmental Quality.

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

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

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2007.