By: Van Arsdale H.B. No. 4018

Substitute the following for H.B. No. 4018:

C.S.H.B. No. 4018 By: Puente

A BILL TO BE ENTITLED

1	AN ACT
2	relating to the powers and duties of the Harris County Municipal
3	Utility District No. 416; providing authority to impose a tax and
4	issue bonds.
5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
6	SECTION 1. Subtitle F, Title 6, Special District Local Laws
7	Code, is amended by adding Chapter 8255 to read as follows:
8	CHAPTER 8255. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 416
9	SUBCHAPTER A. GENERAL PROVISIONS
0	Sec. 8255.001. DEFINITIONS. In this chapter:

- 10
- (1) "Board" means the district's board of directors. 11
- 12 (2) "Director" means a board member.
- 13 (3) "District" means the Harris County Municipal
- 14 Utility District No. 416.
- Sec. 8255.002. NATURE OF DISTRICT. (a) The district is a 15
- municipal utility district created under and essential to 16
- accomplish the purposes of Section 59, Article XVI, Texas 17
- 18 Constitution.
- (b) The district, to the extent authorized by Section 19
- 8255.052 of this code and Section 52, Article III, Texas 20
- 21 Constitution, has road powers.
- Sec. 8255.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All 22
- land and other property in the district will benefit from the 23
- 24 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	<pre>located.</pre>
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

extraterritorial jurisdiction the road project is located; and

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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

- 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 <u>SUBCHAPTER C. BONDS</u>

7

- Sec. 8255.101. AUTHORITY TO ISSUE BONDS AND OTHER

 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
 other obligations payable wholly or partly from ad valorem taxes,

 impact fees, revenue, grants, or other district money, or any
 combination of those sources, to pay for road projects under
 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.
- SECTION 2. The Harris County Municipal Utility District No.
- 27 416 retains all the rights, powers, privileges, authority, duties,

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- 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.