

1-1 By: Zerwas (Senate Sponsor - Hegar) H.B. No. 4022  
1-2 (In the Senate - Received from the House May 14, 2007;  
1-3 May 15, 2007, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 18, 2007, reported favorably by  
1-5 the following vote: Yeas 3, Nays 0; May 18, 2007, sent to  
1-6 printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the powers and duties of the Fort Bend County Municipal  
1-10 Utility District No. 58; providing authority to impose a tax and  
1-11 issue bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-14 Code, is amended by adding Chapter 8253 to read as follows:

1-15 CHAPTER 8253. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 58

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 8253.001. DEFINITIONS. In this chapter:

1-18 (1) "Board" means the board of directors of the  
1-19 district.

1-20 (2) "Director" means a board member.

1-21 (3) "District" means the Fort Bend County Municipal  
1-22 Utility District No. 58.

1-23 Sec. 8253.002. NATURE OF DISTRICT. (a) The district is a  
1-24 municipal utility district created under and essential to  
1-25 accomplish the purposes of Section 59, Article XVI, Texas  
1-26 Constitution.

1-27 (b) The district, to the extent authorized by Section  
1-28 8253.052 and Section 52, Article III, Texas Constitution, has road  
1-29 powers.

1-30 Sec. 8253.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All  
1-31 land and other property in the district will benefit from the  
1-32 improvements and services to be provided by the district.

1-33 [Sections 8253.004-8253.050 reserved for expansion]

1-34 SUBCHAPTER B. POWERS AND DUTIES

1-35 Sec. 8253.051. MUNICIPAL UTILITY DISTRICT POWERS AND  
1-36 DUTIES. (a) The district has the powers and duties provided by the  
1-37 general law of this state, including Chapters 49 and 54, Water Code,  
1-38 applicable to municipal utility districts created under Section 59,  
1-39 Article XVI, Texas Constitution.

1-40 (b) The district has the powers and duties necessary to  
1-41 accomplish the purposes for which the district is created.

1-42 Sec. 8253.052. ROAD PROJECTS. (a) Under Section 52,  
1-43 Article III, Texas Constitution, the district may finance,  
1-44 construct, or acquire a road project as provided by this section.

1-45 (b) The district shall employ or contract with a licensed  
1-46 engineer to certify whether a proposed road project meets the  
1-47 criteria for a thoroughfare, arterial, or collector road of:

1-48 (1) a county in whose jurisdiction the proposed road  
1-49 project is located; or

1-50 (2) a municipality in whose corporate limits or  
1-51 extraterritorial jurisdiction the proposed road project is  
1-52 located.

1-53 (c) The district may finance, construct, or acquire a road  
1-54 that has been certified by the licensed engineer as a thoroughfare,  
1-55 arterial, or collector road, or any improvements in aid of the road.

1-56 (d) A road project must meet all applicable standards,  
1-57 regulations, ordinances, or orders of:

1-58 (1) each municipality in whose corporate limits or  
1-59 extraterritorial jurisdiction the road project is located; and

1-60 (2) each county in which the road project is located if  
1-61 the road project is not located in the corporate limits of a  
1-62 municipality.

1-63 (e) The district may, with the consent of the municipality  
1-64 or county, convey a completed road project to:

2-1 (1) a municipality in whose corporate limits or  
2-2 extraterritorial jurisdiction the road project is located; or  
2-3 (2) a county in which the road project is located.

2-4 [Sections 8253.053-8253.100 reserved for expansion]

2-5 SUBCHAPTER C. BONDS

2-6 Sec. 8253.101. AUTHORITY TO ISSUE BONDS AND OTHER  
2-7 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or  
2-8 other obligations payable wholly or partly from ad valorem taxes,  
2-9 impact fees, revenue, grants, or other district money, or any  
2-10 combination of those sources, to pay for road projects as provided  
2-11 by Section 8253.052.

2-12 (b) The district may not issue bonds payable from ad valorem  
2-13 taxes to finance a road project unless the issuance is approved by a  
2-14 vote of a two-thirds majority of district voters voting at an  
2-15 election held for that purpose.

2-16 (c) The total principal amount of bonds, notes, or other  
2-17 obligations issued or incurred to finance the road projects may not  
2-18 exceed one-fourth of the assessed value of the real property in the  
2-19 district according to the most recent certified appraisal roll for  
2-20 Fort Bend County.

2-21 SECTION 2. The Fort Bend County Municipal Utility District  
2-22 No. 58 retains all the rights, powers, privileges, authority,  
2-23 duties, and functions that it had before the effective date of this  
2-24 Act.

2-25 SECTION 3. (a) The legal notice of the intention to  
2-26 introduce this Act, setting forth the general substance of this  
2-27 Act, has been published as provided by law, and the notice and a  
2-28 copy of this Act have been furnished to all persons, agencies,  
2-29 officials, or entities to which they are required to be furnished  
2-30 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
2-31 Government Code.

2-32 (b) The governor, one of the required recipients, has  
2-33 submitted the notice and Act to the Texas Commission on  
2-34 Environmental Quality.

2-35 (c) The Texas Commission on Environmental Quality has filed  
2-36 its recommendations relating to this Act with the governor, the  
2-37 lieutenant governor, and the speaker of the house of  
2-38 representatives within the required time.

2-39 (d) All requirements of the constitution and laws of this  
2-40 state and the rules and procedures of the legislature with respect  
2-41 to the notice, introduction, and passage of this Act are fulfilled  
2-42 and accomplished.

2-43 SECTION 4. This Act takes effect immediately if it receives  
2-44 a vote of two-thirds of all the members elected to each house, as  
2-45 provided by Section 39, Article III, Texas Constitution. If this  
2-46 Act does not receive the vote necessary for immediate effect, this  
2-47 Act takes effect September 1, 2007.

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