

1-1 By: Howard of Fort Bend (Senate Sponsor - Whitmire) H.B. No. 4038
1-2 (In the Senate - Received from the House May 10, 2007;
1-3 May 14, 2007, read first time and referred to Committee on Natural
1-4 Resources; May 18, 2007, reported favorably by the following vote:
1-5 Yeas 11, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the powers and duties of the Harris County Municipal
1-9 Utility District No. 473; providing authority to impose a tax and
1-10 issue bonds.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapter 8250 to read as follows:

1-14 CHAPTER 8250. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 473

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 Sec. 8250.001. DEFINITIONS. In this chapter:

1-17 (1) "Board" means the district's board of directors.

1-18 (2) "Director" means a board member.

1-19 (3) "District" means the Harris County Municipal
1-20 Utility District No. 473.

1-21 Sec. 8250.002. NATURE OF DISTRICT. (a) The district is a
1-22 municipal utility district created under and essential to
1-23 accomplish the purposes of Section 59, Article XVI, Texas
1-24 Constitution.

1-25 (b) The district, to the extent authorized by Section
1-26 8250.052 of this code and Section 52, Article III, Texas
1-27 Constitution, has road powers.

1-28 Sec. 8250.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All
1-29 land and other property in the district will benefit from the
1-30 improvements and services to be provided by the district.

1-31 [Sections 8250.004-8250.050 reserved for expansion]

1-32 SUBCHAPTER B. POWERS AND DUTIES

1-33 Sec. 8250.051. MUNICIPAL UTILITY DISTRICT POWERS AND
1-34 DUTIES. (a) The district has the powers and duties necessary to
1-35 accomplish the purposes for which the district is created. This
1-36 chapter does not limit the district's powers existing before the
1-37 effective date of the Act enacting this chapter.

1-38 (b) The district has the powers and duties provided by the
1-39 general law of this state, including Chapters 49 and 54, Water Code,
1-40 applicable to municipal utility districts created under Section 59,
1-41 Article XVI, Texas Constitution.

1-42 Sec. 8250.052. 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
1-54 thoroughfare, arterial, or collector road that has been certified
1-55 by the licensed engineer, 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 8250.053-8250.100 reserved for expansion]

2-5 SUBCHAPTER C. BONDS

2-6 Sec. 8250.101. 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.

2-11 (b) The district may not issue bonds payable from ad valorem
2-12 taxes to finance a road project unless the issuance is approved by a
2-13 vote of a two-thirds majority of the voters of the district voting
2-14 at an election called for that purpose.

2-15 (c) The total principal amount of bonds, notes, or other
2-16 obligations issued or incurred to finance road projects may not
2-17 exceed one-fourth of the assessed value of the real property in the
2-18 district according to the most recent certified appraisal roll for
2-19 Harris County.

2-20 SECTION 2. (a) The legal notice of the intention to
2-21 introduce this Act, setting forth the general substance of this
2-22 Act, has been published as provided by law, and the notice and a
2-23 copy of this Act have been furnished to all persons, agencies,
2-24 officials, or entities to which they are required to be furnished
2-25 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-26 Government Code.

2-27 (b) The governor, one of the required recipients, has
2-28 submitted the notice and Act to the Texas Commission on
2-29 Environmental Quality.

2-30 (c) The Texas Commission on Environmental Quality has filed
2-31 its recommendations relating to this Act with the governor, the
2-32 lieutenant governor, and the speaker of the house of
2-33 representatives within the required time.

2-34 (d) All requirements of the constitution and laws of this
2-35 state and the rules and procedures of the legislature with respect
2-36 to the notice, introduction, and passage of this Act are fulfilled
2-37 and accomplished.

2-38 SECTION 3. This Act takes effect immediately if it receives
2-39 a vote of two-thirds of all the members elected to each house, as
2-40 provided by Section 39, Article III, Texas Constitution. If this
2-41 Act does not receive the vote necessary for immediate effect, this
2-42 Act takes effect September 1, 2007.

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