

1-1 By: Rose (Senate Sponsor - Wentworth) H.B. No. 4042  
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 9, 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 Sunfield Municipal Utility  
1-9 District No. 4 regarding elections and road projects; providing  
1-10 authority to impose a tax and 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 8202 to read as follows:

1-14 CHAPTER 8202. SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 4

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 Sec. 8202.001. DEFINITION. In this chapter, "district"  
1-17 means the Sunfield Municipal Utility District No. 4.

1-18 Sec. 8202.002. ELECTION DATE. Section 41.001(a), Election  
1-19 Code, does not apply to an election:

1-20 (1) to confirm the district's creation;

1-21 (2) to elect initial directors; or

1-22 (3) to approve a maintenance tax, a bond, or a  
1-23 contract.

1-24 [Sections 8202.003-8202.050 reserved for expansion]

1-25 SUBCHAPTER B. POWERS AND DUTIES

1-26 Sec. 8202.051. ROAD PROJECTS. (a) To the extent authorized  
1-27 by Section 52, Article III, Texas Constitution, the district may  
1-28 construct, acquire, improve, maintain, or operate macadamized,  
1-29 graveled, or paved roads or turnpikes, or improvements in aid of  
1-30 those roads or turnpikes, inside or outside the district.

1-31 (b) A road project must meet all applicable construction  
1-32 standards, zoning and subdivision requirements, and regulations  
1-33 of:

1-34 (1) each municipality in whose corporate limits or  
1-35 extraterritorial jurisdiction the district is located; and

1-36 (2) each county in which the district is located.

1-37 Sec. 8202.052. CONVEYANCE OF ROAD TO MUNICIPALITY OR  
1-38 COUNTY. On completion of a road or road facility authorized by this  
1-39 section, the district, with the consent of a municipality or  
1-40 county, may convey the road or road facility to the municipality or  
1-41 county if the conveyance is free of all indebtedness of the  
1-42 district. If the municipality or county becomes the owner of a road  
1-43 or road facility, the municipality or county is responsible for all  
1-44 future maintenance and upkeep and the district has no further  
1-45 responsibility for the road or road facility or its maintenance or  
1-46 upkeep, unless otherwise agreed to by the district and the  
1-47 municipality or county.

1-48 Sec. 8202.053. REIMBURSEMENT FOR ROAD PROJECT. (a) The  
1-49 district may:

1-50 (1) reimburse a private person for money spent to  
1-51 construct a road or road facility that is dedicated or otherwise  
1-52 transferred to public use; or

1-53 (2) purchase a road or road facility constructed by a  
1-54 private person.

1-55 (b) The amount paid for the reimbursement or for the  
1-56 purchase of a road or road facility under Subsection (a) may:

1-57 (1) include all construction costs, including  
1-58 engineering, legal, financing, and other expenses incident to the  
1-59 construction; or

1-60 (2) be at a price not to exceed the replacement cost of  
1-61 the road or road facility as determined by the board.

1-62 (c) The reimbursement or purchase of a road or road facility  
1-63 may be paid for with proceeds from the sale of the district's bonds  
1-64 or from any other money available to the district.

2-1 (d) The district may enter into an agreement to use the  
2-2 proceeds of a subsequent bond sale to reimburse a private person  
2-3 under this section. The agreement may provide the terms under which  
2-4 the road or road facility is to be dedicated or transferred for the  
2-5 benefit of the public.

2-6 [Sections 8202.054-8202.100 reserved for expansion]

2-7 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

2-8 Sec. 8202.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The  
2-9 district may impose an ad valorem tax to pay the principal of or  
2-10 interest on bonds issued under Section 8202.151.

2-11 [Sections 8202.102-8202.150 reserved for expansion]

2-12 SUBCHAPTER D. BONDS

2-13 Sec. 8202.151. AUTHORITY TO ISSUE BONDS AND OTHER  
2-14 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or  
2-15 other obligations as provided by Chapters 49 and 54, Water Code, and  
2-16 to finance the construction, maintenance, or operation of projects  
2-17 under Section 8202.051.

2-18 (b) The district may not issue bonds or other obligations to  
2-19 finance projects authorized by Section 8202.051 unless the issuance  
2-20 is approved by a vote of a two-thirds majority of the voters of the  
2-21 district voting at an election called for that purpose.

2-22 (c) Bonds or other obligations issued or incurred to finance  
2-23 projects authorized by Section 8202.051 may not exceed one-fourth  
2-24 of the assessed value of the real property in the district.

2-25 SECTION 2. (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 3. 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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