

By: Parker

H.B. No. 4101

A BILL TO BE ENTITLED

AN ACT

relating to the powers of the Talley Ranch Water Control and Improvement District No. 1 of Denton County; providing authority to impose a tax and issue bonds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9025 to read as follows:

CHAPTER 9025. TALLEY RANCH WATER CONTROL AND IMPROVEMENT

DISTRICT NO. 1 OF DENTON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9025.001. DEFINITION. In this chapter, "district" means the Talley Ranch Water Control and Improvement District No. 1 of Denton County.

Sec. 9025.002. NATURE OF DISTRICT. The district is a water control and improvement district in Denton County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 9025.003. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, the following laws apply to the district:

(1) Chapters 49 and 51, Water Code; and

(2) Section 52(b)(3), Article III, Texas Constitution.

[Sections 9025.004-9025.050 reserved for expansion]

1 SUBCHAPTER B. POWERS AND DUTIES

2 Sec. 9025.051. ROAD PROJECTS. (a) The district may
3 construct, acquire, improve, maintain, or operate macadamized,
4 graveled, or paved roads, or improvements in aid of those roads,
5 inside the district.

6 (b) A road project must meet all applicable construction
7 standards, zoning and subdivision requirements, and regulatory
8 ordinances of the municipality in whose corporate limits or
9 extraterritorial jurisdiction the district is located.

10 (c) The district may not undertake a road project unless
11 each municipality in whose corporate limits or extraterritorial
12 jurisdiction the district is located consents by ordinance or
13 resolution.

14 Sec. 9025.052. COMPLIANCE WITH COUNTY OR MUNICIPAL
15 ORDINANCES OR RESOLUTIONS RELATING TO ROAD PROJECTS. The district
16 shall comply with all applicable requirements relating to projects
17 authorized by Section 9025.051 of any ordinance or resolution
18 adopted by the governing body of:

19 (1) a county in which the district is located for a
20 project in the unincorporated area of the county; or

21 (2) a municipality in whose corporate limits or
22 extraterritorial jurisdiction the district is located for a project
23 in the corporate limits or the extraterritorial jurisdiction of the
24 municipality.

25 [Sections 9025.053-9025.100 reserved for expansion]

26 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

27 Sec. 9025.101. TAX TO REPAY BONDS. The district may impose

1 a tax to pay the principal of and interest on bonds issued for a
2 project under Section 9025.051.

3 [Sections 9025.102-9025.150 reserved for expansion]

4 SUBCHAPTER D. BONDS

5 Sec. 9025.151. AUTHORITY TO ISSUE BONDS AND OTHER
6 OBLIGATIONS. (a) The district may issue bonds or other obligations
7 as provided by Chapters 49 and 51, Water Code, to finance the
8 construction, maintenance, or operation of projects under Section
9 9025.051.

10 (b) The district may not issue bonds authorized for a
11 project under Section 9025.051 unless the issuance is approved by a
12 vote of a two-thirds majority of the voters of the district voting
13 at an election called for that purpose.

14 (c) Bonds or other obligations issued or incurred to finance
15 projects authorized by Section 9025.051 may not exceed one-fourth
16 of the assessed value of the real property in the district.

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

24 (b) The governor, one of the required recipients, has
25 submitted the notice and Act to the Texas Commission on
26 Environmental Quality.

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

4 (d) All requirements of the constitution and laws of this
5 state and the rules and procedures of the legislature with respect
6 to the notice, introduction, and passage of this Act are fulfilled
7 and accomplished.

8 SECTION 3. This Act takes effect September 1, 2007.