

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. DEFINITIONS. 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 Subchapter J, Chapter 54, Water Code; and

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

1 [Sections 9025.004-9025.050 reserved for expansion]

2 SUBCHAPTER B. POWERS AND DUTIES

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

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

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

15 Sec. 9025.052. COMPLIANCE WITH MUNICIPAL CONSENT
16 ORDINANCES OR RESOLUTIONS. The district shall comply with all
17 applicable requirements of any ordinance or resolution adopted by
18 the governing body of a municipality that consents to the creation
19 of the district or to the inclusion of lands within the district.

20 [Sections 9025.053-9025.100 reserved for expansion]

21 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

22 Sec. 9025.101. TAX TO REPAY BONDS. The district may impose
23 a tax to pay the principal of and interest on bonds issued under
24 Section 9025.051.

25 [Sections 9025.102-9025.150 reserved for expansion]

26 SUBCHAPTER D. BONDS

27 Sec. 9025.151. AUTHORITY TO ISSUE BONDS AND OTHER

1 OBLIGATIONS. (a) The district may issue bonds or other obligations
2 as provided by Chapters 49 and 51, Water Code, to finance the
3 construction, maintenance, or operation of projects under Section
4 9025.051.

5 (b) The district may not issue bonds authorized by Section
6 9025.051 unless the issuance is approved by a vote of a two-thirds
7 majority of the voters of the district voting at an election called
8 for that purpose.

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

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

19 (b) The governor, one of the required recipients, has
20 submitted the notice and Act to the Texas Commission on
21 Environmental Quality.

22 (c) The Texas Commission on Environmental Quality has filed
23 its recommendations relating to this Act with the governor, the
24 lieutenant governor, and the speaker of the house of
25 representatives within the required time.

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

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1 to the notice, introduction, and passage of this Act are fulfilled
2 and accomplished.

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