

1-1 By: Eissler (Senate Sponsor - Williams) H.B. No. 4104
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
1-4 Intergovernmental Relations; May 18, 2007, reported favorably by
1-5 the following vote: Yeas 4, 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 Montgomery County
1-10 Municipal Utility District No. 112; providing authority to impose a
1-11 tax and 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 8261 to read as follows:

1-15 CHAPTER 8261. MONTGOMERY COUNTY MUNICIPAL UTILITY
1-16 DISTRICT NO. 112

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 8261.001. DEFINITION. In this chapter, "district"
1-19 means the Montgomery County Municipal Utility District No. 112.

1-20 Sec. 8261.002. NATURE OF DISTRICT. The district is a
1-21 municipal utility district created under and essential to
1-22 accomplish the purposes of Section 59, Article XVI, Texas
1-23 Constitution.

1-24 Sec. 8261.003. APPLICABILITY OF OTHER LAW. Except as
1-25 otherwise provided by this chapter, the following laws apply to the
1-26 district:

1-27 (1) Chapters 49 and 54, Water Code, including
1-28 Subchapter J, Chapter 54, Water Code, notwithstanding the
1-29 limitation on authorization based on acreage under Section 54.801
1-30 of that code; and

1-31 (2) Section 52(b)(3), Article III, Texas
1-32 Constitution.

1-33 [Sections 8261.004-8261.050 reserved for expansion]

1-34 SUBCHAPTER B. POWERS AND DUTIES

1-35 Sec. 8261.051. ROAD PROJECTS. (a) The district may
1-36 construct, acquire, improve, maintain, or operate macadamized,
1-37 graveled, or paved roads, or improvements in aid of those roads,
1-38 inside the district.

1-39 (b) A road project must meet all applicable construction
1-40 standards and regulatory ordinances of each municipality or county
1-41 in whose jurisdiction the district is located.

1-42 Sec. 8261.052. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
1-43 OR RESOLUTION. The district shall comply with all applicable
1-44 requirements of any ordinance or resolution adopted by the
1-45 governing body of a municipality that consents to the creation of
1-46 the district or to the inclusion of land in the district.

1-47 [Sections 8261.053-8261.100 reserved for expansion]

1-48 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

1-49 Sec. 8261.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The
1-50 district may impose a tax to pay the principal of or interest on
1-51 bonds issued under Section 8261.151.

1-52 [Sections 8261.102-8261.150 reserved for expansion]

1-53 SUBCHAPTER D. BONDS

1-54 Sec. 8261.151. AUTHORITY TO ISSUE BONDS AND OTHER
1-55 OBLIGATIONS. (a) The district may issue bonds or other obligations
1-56 as provided by Chapters 49 and 51, Water Code, to finance the
1-57 construction, maintenance, or operation of a project under Section
1-58 8261.051.

1-59 (b) The district may not issue bonds or other obligations to
1-60 finance projects authorized by Section 8261.051 unless the issuance
1-61 is approved by a vote of a two-thirds majority of the district
1-62 voters, or a two-thirds majority of voters in a defined area that
1-63 will benefit from the project, as provided by Subchapter J, Chapter
1-64 54, Water Code, voting at an election called for that purpose. The

2-1 simple majority vote approval required by Section 54.808(a), Water
2-2 Code, does not apply to an election under this section.

2-3 (c) Bonds or other obligations issued or incurred to finance
2-4 projects authorized by Section 8261.051 may not exceed one-fourth
2-5 of the assessed value of the real property in the district or the
2-6 defined area, if applicable.

2-7 SECTION 2. (a) The legal notice of the intention to
2-8 introduce this Act, setting forth the general substance of this
2-9 Act, has been published as provided by law, and the notice and a
2-10 copy of this Act have been furnished to all persons, agencies,
2-11 officials, or entities to which they are required to be furnished
2-12 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-13 Government Code.

2-14 (b) The governor, one of the required recipients, has
2-15 submitted the notice and Act to the Texas Commission on
2-16 Environmental Quality.

2-17 (c) The Texas Commission on Environmental Quality has filed
2-18 its recommendations relating to this Act with the governor, the
2-19 lieutenant governor, and the speaker of the house of
2-20 representatives within the required time.

2-21 (d) All requirements of the constitution and laws of this
2-22 state and the rules and procedures of the legislature with respect
2-23 to the notice, introduction, and passage of this Act are fulfilled
2-24 and accomplished.

2-25 SECTION 3. This Act takes effect September 1, 2007.

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