

By: Hegar

S.B. No. 683

A BILL TO BE ENTITLED

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AN ACT

relating to the creation and powers of the Fort Bend County Municipal Utility District No. 182, including powers related to the construction, maintenance, operation, and financing of roads or turnpikes; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8176 to read as follows:

CHAPTER 8176. FORT BEND COUNTY MUNICIPAL UTILITY

DISTRICT NO. 182

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8176.001. DEFINITION. In this chapter, "district" means the Fort Bend County Municipal Utility District No. 182.

Sec. 8176.002. NATURE OF DISTRICT. The district is a municipal utility district in Fort Bend County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8176.003. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, the following laws apply to the district:

(1) Chapters 49 and 54, Water Code, including Subchapter J, Chapter 54, Water Code; and

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

1 Constitution.

2 [Sections 8176.004-8176.050 reserved for expansion]

3 SUBCHAPTER B. ADDITIONAL POWERS AND DUTIES

4 Sec. 8176.051. ROAD PROJECTS. (a) The district may
5 construct, acquire, improve, maintain, or operate macadamized,
6 graveled, or paved roads or turnpikes, or improvements in aid of
7 those roads or turnpikes, inside the district.

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

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

15 Sec. 8176.052. COMPLIANCE WITH MUNICIPAL CONSENT
16 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section
17 54.016, Water Code, the district shall comply with all applicable
18 requirements of any ordinance or resolution adopted by the city
19 council of the City of Fulshear, including an ordinance or
20 resolution adopted before September 1, 2007, that consents to the
21 creation of the district or to the inclusion of lands within the
22 district.

23 [Sections 8176.053-8176.100 reserved for expansion]

24 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

25 Sec. 8176.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The
26 district may impose a tax to pay the principal of or interest on
27 bonds issued under Section 8176.151.

1 [Sections 8176.102-8176.150 reserved for expansion]

2 SUBCHAPTER D. BONDS

3 Sec. 8176.151. AUTHORITY TO ISSUE BONDS FOR ROAD PROJECTS.

4 (a) The district may issue bonds or other obligations as provided
5 by Chapters 49 and 54, Water Code, to finance the construction,
6 maintenance, or operation of projects under Section 8176.051.

7 (b) The district may not issue bonds or other obligations
8 secured wholly or partly by ad valorem taxation to finance projects
9 authorized by Section 8176.051 unless the issuance is approved by a
10 vote of a two-thirds majority of the voters in the district or of
11 the defined areas to be benefited by the project as provided by
12 Subchapter J, Chapter 54, Water Code, voting at an election called
13 for that purpose. The simple majority vote approval required by
14 Section 54.808(a), Water Code, does not apply to an election under
15 this subsection.

16 (c) Bonds or other obligations issued or incurred to finance
17 projects authorized by Section 8176.051 may not exceed one-fourth
18 of the assessed value of the real property in the district or the
19 defined area, as applicable.

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

27 (b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on
2 Environmental Quality.

3 (c) The Texas Commission on Environmental Quality has filed
4 its recommendations relating to this Act with the governor, the
5 lieutenant governor, and the speaker of the house of
6 representatives within the required time.

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

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