

1-1 By: Hegar S.B. No. 683
1-2 (In the Senate - Filed February 15, 2007; February 28, 2007,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; March 15, 2007, reported favorably by the following
1-5 vote: Yeas 3, Nays 0; March 15, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation and powers of the Fort Bend County Municipal
1-9 Utility District No. 182, including powers related to the
1-10 construction, maintenance, operation, and financing of roads or
1-11 turnpikes; providing authority to impose a tax and issue bonds;
1-12 granting the power of eminent domain.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-15 Code, is amended by adding Chapter 8176 to read as follows:

1-16 CHAPTER 8176. FORT BEND COUNTY MUNICIPAL UTILITY
1-17 DISTRICT NO. 182

1-18 SUBCHAPTER A. GENERAL PROVISIONS

1-19 Sec. 8176.001. DEFINITION. In this chapter, "district"
1-20 means the Fort Bend County Municipal Utility District No. 182.

1-21 Sec. 8176.002. NATURE OF DISTRICT. The district is a
1-22 municipal utility district in Fort Bend County created under and
1-23 essential to accomplish the purposes of Section 59, Article XVI,
1-24 Texas Constitution.

1-25 Sec. 8176.003. APPLICABILITY OF OTHER LAW. Except as
1-26 otherwise provided by this chapter, the following laws apply to the
1-27 district:

1-28 (1) Chapters 49 and 54, Water Code, including
1-29 Subchapter J, Chapter 54, Water Code; and

1-30 (2) Section 52(b)(3), Article III, Texas
1-31 Constitution.

1-32 [Sections 8176.004-8176.050 reserved for expansion]

1-33 SUBCHAPTER B. ADDITIONAL POWERS AND DUTIES

1-34 Sec. 8176.051. ROAD PROJECTS. (a) The district may
1-35 construct, acquire, improve, maintain, or operate macadamized,
1-36 graveled, or paved roads or turnpikes, or improvements in aid of
1-37 those roads or turnpikes, inside the district.

1-38 (b) A road project must meet all applicable construction
1-39 standards, zoning and subdivision requirements, and regulatory
1-40 ordinances of the municipality or county in whose jurisdiction the
1-41 district is located.

1-42 (c) The district may not undertake a road project unless
1-43 each municipality in whose jurisdiction the district is located
1-44 consents by ordinance or resolution.

1-45 Sec. 8176.052. COMPLIANCE WITH MUNICIPAL CONSENT
1-46 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section
1-47 54.016, Water Code, the district shall comply with all applicable
1-48 requirements of any ordinance or resolution adopted by the city
1-49 council of the City of Fulshear, including an ordinance or
1-50 resolution adopted before September 1, 2007, that consents to the
1-51 creation of the district or to the inclusion of lands within the
1-52 district.

1-53 [Sections 8176.053-8176.100 reserved for expansion]

1-54 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

1-55 Sec. 8176.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The
1-56 district may impose a tax to pay the principal of or interest on
1-57 bonds issued under Section 8176.151.

1-58 [Sections 8176.102-8176.150 reserved for expansion]

1-59 SUBCHAPTER D. BONDS

1-60 Sec. 8176.151. AUTHORITY TO ISSUE BONDS FOR ROAD PROJECTS.
1-61 (a) The district may issue bonds or other obligations as provided
1-62 by Chapters 49 and 54, Water Code, to finance the construction,
1-63 maintenance, or operation of projects under Section 8176.051.

1-64 (b) The district may not issue bonds or other obligations

2-1 secured wholly or partly by ad valorem taxation to finance projects
2-2 authorized by Section 8176.051 unless the issuance is approved by a
2-3 vote of a two-thirds majority of the voters in the district or of
2-4 the defined areas to be benefited by the project as provided by
2-5 Subchapter J, Chapter 54, Water Code, voting at an election called
2-6 for that purpose. The simple majority vote approval required by
2-7 Section 54.808(a), Water Code, does not apply to an election under
2-8 this subsection.

2-9 (c) Bonds or other obligations issued or incurred to finance
2-10 projects authorized by Section 8176.051 may not exceed one-fourth
2-11 of the assessed value of the real property in the district or the
2-12 defined area, as applicable.

2-13 SECTION 2. (a) The legal notice of the intention to
2-14 introduce this Act, setting forth the general substance of this
2-15 Act, has been published as provided by law, and the notice and a
2-16 copy of this Act have been furnished to all persons, agencies,
2-17 officials, or entities to which they are required to be furnished
2-18 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-19 Government Code.

2-20 (b) The governor, one of the required recipients, has
2-21 submitted the notice and Act to the Texas Commission on
2-22 Environmental Quality.

2-23 (c) The Texas Commission on Environmental Quality has filed
2-24 its recommendations relating to this Act with the governor, the
2-25 lieutenant governor, and the speaker of the house of
2-26 representatives within the required time.

2-27 (d) All requirements of the constitution and laws of this
2-28 state and the rules and procedures of the legislature with respect
2-29 to the notice, introduction, and passage of this Act are fulfilled
2-30 and accomplished.

2-31 SECTION 3. This Act takes effect September 1, 2007.

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