

By: Deuell

S.B. No. 1205

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Kaufman County Municipal Utility District Nos. 2, 3, 4, 5, 6, and 7; providing authority to impose a tax and issue bonds.

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 Chapters 8193, 8194, 8195, 8196, 8197, and 8209 to read as follows:

CHAPTER 8193. KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8193.001. DEFINITION. "District" means Kaufman County Municipal Utility District No. 2.

[Sections 8193.002-8193.050 reserved for expansion]

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8193.051. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8193.052. ROAD PROJECTS. (a) To the extent authorized by Section 52, Article III, Texas Constitution, the district may construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes, inside the district.

1       (b) A road project must meet all applicable construction  
2 standards, zoning and subdivision requirements, and regulatory  
3 ordinances of any municipality in whose extraterritorial  
4 jurisdiction the district is located.

5       Sec. 8193.053. COMPLIANCE WITH MUNICIPAL CONSENT  
6 ORDINANCES OR RESOLUTIONS. The district shall comply with all  
7 applicable requirements of any ordinance or resolution adopted by  
8 the governing body of a municipality that consented to the creation  
9 of the district or to the inclusion of lands in the district.

10       [Sections 8193.054-8193.100 reserved for expansion]

11               SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

12       Sec. 8193.101. TAX TO REPAY BONDS. The district may impose  
13 a tax to pay the principal of or interest on bonds issued under  
14 Section 8193.151.

15       [Sections 8193.102-8193.150 reserved for expansion]

16                       SUBCHAPTER D. BONDS

17       Sec. 8193.151. AUTHORITY TO ISSUE BONDS AND OTHER  
18 OBLIGATIONS. (a) The district may issue bonds or other obligations  
19 as provided by Chapters 49 and 54, Water Code, to finance the  
20 construction, maintenance, or operation of projects under Sections  
21 8193.051 and 8193.052.

22       (b) The district may not issue bonds or other obligations  
23 secured wholly or partly by ad valorem taxes to finance projects  
24 authorized by Section 8193.052 unless the issuance is approved by a  
25 vote of a two-thirds majority of the voters of the district voting  
26 at an election called for that purpose.

27       (c) Bonds or other obligations issued or incurred to finance

1 projects authorized by Section 8193.052 may not exceed one-fourth  
2 of the assessed value of the real property in the district.

3 CHAPTER 8194. KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 8194.001. DEFINITION. "District" means Kaufman County  
6 Municipal Utility District No. 3.

7 [Sections 8194.002-8194.050 reserved for expansion]

8 SUBCHAPTER B. POWERS AND DUTIES

9 Sec. 8194.051. MUNICIPAL UTILITY DISTRICT POWERS AND  
10 DUTIES. The district has the powers and duties provided by the  
11 general law of this state, including Chapters 49 and 54, Water Code,  
12 applicable to municipal utility districts created under Section 59,  
13 Article XVI, Texas Constitution.

14 Sec. 8194.052. ROAD PROJECTS. (a) To the extent authorized  
15 by Section 52, Article III, Texas Constitution, the district may  
16 construct, acquire, improve, maintain, or operate macadamized,  
17 graveled, or paved roads or turnpikes, or improvements in aid of  
18 those roads or turnpikes, inside the district.

19 (b) A road project must meet all applicable construction  
20 standards, zoning and subdivision requirements, and regulatory  
21 ordinances of any municipality in whose extraterritorial  
22 jurisdiction the district is located.

23 Sec. 8194.053. COMPLIANCE WITH MUNICIPAL CONSENT  
24 ORDINANCES OR RESOLUTIONS. The district shall comply with all  
25 applicable requirements of any ordinance or resolution adopted by  
26 the governing body of a municipality that consented to the creation  
27 of the district or to the inclusion of lands in the district.

[Sections 8194.054-8194.100 reserved for expansion]

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 8194.101. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of or interest on bonds issued under Section 8194.151.

[Sections 8194.102-8194.150 reserved for expansion]

SUBCHAPTER D. BONDS

Sec. 8194.151. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may issue bonds or other obligations as provided by Chapters 49 and 54, Water Code, to finance the construction, maintenance, or operation of projects under Sections 8194.051 and 8194.052.

(b) The district may not issue bonds or other obligations secured wholly or partly by ad valorem taxes to finance projects authorized by Section 8194.052 unless the issuance is approved by a vote of a two-thirds majority of the voters of the district voting at an election called for that purpose.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section 8194.052 may not exceed one-fourth of the assessed value of the real property in the district.

CHAPTER 8195. KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 4

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8195.001. DEFINITION. "District" means Kaufman County Municipal Utility District No. 4.

[Sections 8195.002-8195.050 reserved for expansion]

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8195.051. MUNICIPAL UTILITY DISTRICT POWERS AND

1 DUTIES. The district has the powers and duties provided by the  
2 general law of this state, including Chapters 49 and 54, Water Code,  
3 applicable to municipal utility districts created under Section 59,  
4 Article XVI, Texas Constitution.

5 Sec. 8195.052. ROAD PROJECTS. (a) To the extent authorized  
6 by Section 52, Article III, Texas Constitution, the district may  
7 construct, acquire, improve, maintain, or operate macadamized,  
8 graveled, or paved roads or turnpikes, or improvements in aid of  
9 those roads or turnpikes, inside the district.

10 (b) A road project must meet all applicable construction  
11 standards, zoning and subdivision requirements, and regulatory  
12 ordinances of any municipality in whose extraterritorial  
13 jurisdiction the district is located.

14 Sec. 8195.053. COMPLIANCE WITH MUNICIPAL CONSENT  
15 ORDINANCES OR RESOLUTIONS. The district shall comply with all  
16 applicable requirements of any ordinance or resolution adopted by  
17 the governing body of a municipality that consented to the creation  
18 of the district or to the inclusion of lands in the district.

19 [Sections 8195.054-8195.100 reserved for expansion]

20 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

21 Sec. 8195.101. TAX TO REPAY BONDS. The district may impose  
22 a tax to pay the principal of or interest on bonds issued under  
23 Section 8195.151.

24 [Sections 8195.102-8195.150 reserved for expansion]

25 SUBCHAPTER D. BONDS

26 Sec. 8195.151. AUTHORITY TO ISSUE BONDS AND OTHER  
27 OBLIGATIONS. (a) The district may issue bonds or other obligations

1 as provided by Chapters 49 and 54, Water Code, to finance the  
2 construction, maintenance, or operation of projects under Sections  
3 8195.051 and 8195.052.

4 (b) The district may not issue bonds or other obligations  
5 secured wholly or partly by ad valorem taxes to finance projects  
6 authorized by Section 8195.052 unless the issuance is approved by a  
7 vote of a two-thirds majority of the voters of the district voting  
8 at an election called for that purpose.

9 (c) Bonds or other obligations issued or incurred to finance  
10 projects authorized by Section 8195.052 may not exceed one-fourth  
11 of the assessed value of the real property in the district.

12 CHAPTER 8196. KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

13 SUBCHAPTER A. GENERAL PROVISIONS

14 Sec. 8196.001. DEFINITION. "District" means Kaufman County  
15 Municipal Utility District No. 5.

16 [Sections 8196.002-8196.050 reserved for expansion]

17 SUBCHAPTER B. POWERS AND DUTIES

18 Sec. 8196.051. MUNICIPAL UTILITY DISTRICT POWERS AND  
19 DUTIES. The district has the powers and duties provided by the  
20 general law of this state, including Chapters 49 and 54, Water Code,  
21 applicable to municipal utility districts created under Section 59,  
22 Article XVI, Texas Constitution.

23 Sec. 8196.052. ROAD PROJECTS. (a) To the extent authorized  
24 by Section 52, Article III, Texas Constitution, the district may  
25 construct, acquire, improve, maintain, or operate macadamized,  
26 graveled, or paved roads or turnpikes, or improvements in aid of  
27 those roads or turnpikes, inside the district.

1       (b) A road project must meet all applicable construction  
2 standards, zoning and subdivision requirements, and regulatory  
3 ordinances of any municipality in whose extraterritorial  
4 jurisdiction the district is located.

5       Sec. 8196.053. COMPLIANCE WITH MUNICIPAL CONSENT  
6 ORDINANCES OR RESOLUTIONS. The district shall comply with all  
7 applicable requirements of any ordinance or resolution adopted by  
8 the governing body of a municipality that consented to the creation  
9 of the district or to the inclusion of lands in the district.

10       [Sections 8196.054-8196.100 reserved for expansion]

11       SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

12       Sec. 8196.101. TAX TO REPAY BONDS. The district may impose  
13 a tax to pay the principal of or interest on bonds issued under  
14 Section 8196.151.

15       [Sections 8196.102-8196.150 reserved for expansion]

16       SUBCHAPTER D. BONDS

17       Sec. 8196.151. AUTHORITY TO ISSUE BONDS AND OTHER  
18 OBLIGATIONS. (a) The district may issue bonds or other obligations  
19 as provided by Chapters 49 and 54, Water Code, to finance the  
20 construction, maintenance, or operation of projects under Sections  
21 8196.051 and 8196.052.

22       (b) The district may not issue bonds or other obligations  
23 secured wholly or partly by ad valorem taxes to finance projects  
24 authorized by Section 8196.052 unless the issuance is approved by a  
25 vote of a two-thirds majority of the voters of the district voting  
26 at an election called for that purpose.

27       (c) Bonds or other obligations issued or incurred to finance

1 projects authorized by Section 8196.052 may not exceed one-fourth  
2 of the assessed value of the real property in the district.

3 CHAPTER 8197. KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 6

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 8197.001. DEFINITION. "District" means Kaufman County  
6 Municipal Utility District No. 6.

7 [Sections 8197.002-8197.050 reserved for expansion]

8 SUBCHAPTER B. POWERS AND DUTIES

9 Sec. 8197.051. MUNICIPAL UTILITY DISTRICT POWERS AND  
10 DUTIES. The district has the powers and duties provided by the  
11 general law of this state, including Chapters 49 and 54, Water Code,  
12 applicable to municipal utility districts created under Section 59,  
13 Article XVI, Texas Constitution.

14 Sec. 8197.052. ROAD PROJECTS. (a) To the extent authorized  
15 by Section 52, Article III, Texas Constitution, the district may  
16 construct, acquire, improve, maintain, or operate macadamized,  
17 graveled, or paved roads or turnpikes, or improvements in aid of  
18 those roads or turnpikes, inside the district.

19 (b) A road project must meet all applicable construction  
20 standards, zoning and subdivision requirements, and regulatory  
21 ordinances of any municipality in whose extraterritorial  
22 jurisdiction the district is located.

23 Sec. 8197.053. COMPLIANCE WITH MUNICIPAL CONSENT  
24 ORDINANCES OR RESOLUTIONS. The district shall comply with all  
25 applicable requirements of any ordinance or resolution adopted by  
26 the governing body of a municipality that consented to the creation  
27 of the district or to the inclusion of lands in the district.

[Sections 8197.054-8197.100 reserved for expansion]

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 8197.101. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of or interest on bonds issued under Section 8197.151.

[Sections 8197.102-8197.150 reserved for expansion]

SUBCHAPTER D. BONDS

Sec. 8197.151. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may issue bonds or other obligations as provided by Chapters 49 and 54, Water Code, to finance the construction, maintenance, or operation of projects under Sections 8197.051 and 8197.052.

(b) The district may not issue bonds or other obligations secured wholly or partly by ad valorem taxes to finance projects authorized by Section 8197.052 unless the issuance is approved by a vote of a two-thirds majority of the voters of the district voting at an election called for that purpose.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section 8197.052 may not exceed one-fourth of the assessed value of the real property in the district.

CHAPTER 8209. KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 7

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8209.001. DEFINITION. "District" means Kaufman County Municipal Utility District No. 7.

[Sections 8209.002-8209.050 reserved for expansion]

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8209.051. MUNICIPAL UTILITY DISTRICT POWERS AND

1 DUTIES. The district has the powers and duties provided by the  
2 general law of this state, including Chapters 49 and 54, Water Code,  
3 applicable to municipal utility districts created under Section 59,  
4 Article XVI, Texas Constitution.

5 Sec. 8209.052. ROAD PROJECTS. (a) To the extent authorized  
6 by Section 52, Article III, Texas Constitution, the district may  
7 construct, acquire, improve, maintain, or operate macadamized,  
8 graveled, or paved roads or turnpikes, or improvements in aid of  
9 those roads or turnpikes, inside the district.

10 (b) A road project must meet all applicable construction  
11 standards, zoning and subdivision requirements, and regulatory  
12 ordinances of any municipality in whose extraterritorial  
13 jurisdiction the district is located.

14 Sec. 8209.053. COMPLIANCE WITH MUNICIPAL CONSENT  
15 ORDINANCES OR RESOLUTIONS. The district shall comply with all  
16 applicable requirements of any ordinance or resolution adopted by  
17 the governing body of a municipality that consented to the creation  
18 of the district or to the inclusion of lands in the district.

19 [Sections 8209.054-8209.100 reserved for expansion]

20 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

21 Sec. 8209.101. TAX TO REPAY BONDS. The district may impose  
22 a tax to pay the principal of or interest on bonds issued under  
23 Section 8209.151.

24 [Sections 8209.102-8209.150 reserved for expansion]

25 SUBCHAPTER D. BONDS

26 Sec. 8209.151. AUTHORITY TO ISSUE BONDS AND OTHER  
27 OBLIGATIONS. (a) The district may issue bonds or other obligations

1 as provided by Chapters 49 and 54, Water Code, to finance the  
2 construction, maintenance, or operation of projects under Sections  
3 8209.051 and 8209.052.

4 (b) The district may not issue bonds or other obligations  
5 secured wholly or partly by ad valorem taxes to finance projects  
6 authorized by Section 8209.052 unless the issuance is approved by a  
7 vote of a two-thirds majority of the voters of the district voting  
8 at an election called for that purpose.

9 (c) Bonds or other obligations issued or incurred to finance  
10 projects authorized by Section 8209.052 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.