

By: Hegar

S.B. No. 1987

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the powers and duties of the Cinco Southwest Municipal  
3 Utility District No. 2; providing authority to impose a tax and  
4 issue bonds for road projects.

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

6 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
7 Code, is amended by adding Chapter 8225 to read as follows:

8 CHAPTER 8225. CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 2

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8225.001. DEFINITIONS. In this chapter:

11 (1) "Board" means the board of directors of the  
12 district.

13 (2) "District" means the Cinco Southwest Municipal  
14 Utility District No. 2.

15 (3) "Road project" means an arterial or main feeder  
16 road, or an improvement in aid of the road.

17 Sec. 8225.002. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All  
18 land and other property in the district will benefit from the  
19 improvements and services to be provided by the district.

20 [Sections 8225.003-8225.050 reserved for expansion]

21 SUBCHAPTER B. POWERS AND DUTIES

22 Sec. 8225.051. MUNICIPAL UTILITY DISTRICT POWERS AND  
23 DUTIES. (a) The district has the powers and duties provided by the  
24 general law of this state, including Chapters 49 and 54, Water Code,

1 applicable to municipal utility districts created under Section 59,  
2 Article XVI, Texas Constitution.

3 (b) The district has the powers and duties necessary to  
4 accomplish the purposes for which the district is created.

5 Sec. 8225.052. ROAD PROJECTS. (a) Under Section 52,  
6 Article III, Texas Constitution, the district may finance,  
7 construct, or acquire a road project as provided by this section.

8 (b) A road project must meet all applicable standards,  
9 regulations, and ordinances of the municipality or county in whose  
10 jurisdiction the road project is located.

11 (c) The district may, with the consent of the municipality  
12 or county, convey a completed road project to:

13 (1) a municipality in whose corporate limits or  
14 extraterritorial jurisdiction the road project is located; or

15 (2) a county in which the road project is located.

16 [Sections 8225.053-8225.100 reserved for expansion]

17 SUBCHAPTER C. BONDS

18 Sec. 8225.101. AUTHORITY TO ISSUE BONDS AND OTHER  
19 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or  
20 other obligations payable wholly or partly from ad valorem taxes,  
21 impact fees, revenue, grants, or other district money, or any  
22 combination of those sources, to pay for road projects.

23 (b) The district may not issue bonds payable from ad valorem  
24 taxes to finance a road project unless the issuance is approved by a  
25 vote of a two-thirds majority of district voters voting at an  
26 election held for that purpose.

27 (c) The total principal amount of bonds, notes, or other

1 obligations issued or incurred to finance the road projects may not  
2 exceed one-fourth of the assessed value of the real property in the  
3 district according to the most recent certified appraisal roll for  
4 Fort Bend County.

5 SECTION 2. The Cinco Southwest Municipal Utility District  
6 No. 2 retains all the rights, powers, privileges, authority,  
7 duties, and functions that it had before the effective date of this  
8 Act.

9 SECTION 3. (a) The legal notice of the intention to  
10 introduce this Act, setting forth the general substance of this  
11 Act, has been published as provided by law, and the notice and a  
12 copy of this Act have been furnished to all persons, agencies,  
13 officials, or entities to which they are required to be furnished  
14 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
15 Government Code.

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

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

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

27 SECTION 4. This Act takes effect immediately if it receives

S.B. No. 1987

1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2007.