

1 AN ACT

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

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 8226 to read as follows:

8 CHAPTER 8226. CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 3

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8226.001. DEFINITIONS. In this chapter:

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

13 (2) "Director" means a board member.

14 (3) "District" means the Cinco Southwest Municipal  
15 Utility District No. 3.

16 Sec. 8226.002. NATURE OF DISTRICT. (a) The district is a  
17 municipal utility district created under and essential to  
18 accomplish the purposes of Section 59, Article XVI, Texas  
19 Constitution.

20 (b) The district, to the extent authorized by Section  
21 8226.052 and Section 52, Article III, Texas Constitution, has road  
22 powers.

23 Sec. 8226.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All  
24 land and other property in the district will benefit from the

1 improvements and services to be provided by the district.

2 [Sections 8226.004-8226.050 reserved for expansion]

3 SUBCHAPTER B. POWERS AND DUTIES

4 Sec. 8226.051. MUNICIPAL UTILITY DISTRICT POWERS AND  
5 DUTIES. (a) The district has the powers and duties provided by the  
6 general law of this state, including Chapters 49 and 54, Water Code,  
7 applicable to municipal utility districts created under Section 59,  
8 Article XVI, Texas Constitution.

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

11 Sec. 8226.052. ROAD PROJECTS. (a) Under Section 52,  
12 Article III, Texas Constitution, the district may finance,  
13 construct, or acquire a road project as provided by this section.

14 (b) The district shall employ or contract with a licensed  
15 engineer to certify whether a proposed road project meets the  
16 criteria for a thoroughfare, arterial, or collector road of:

17 (1) a county in whose jurisdiction the proposed road  
18 project is located; or

19 (2) a municipality in whose corporate limits or  
20 extraterritorial jurisdiction the proposed road project is  
21 located.

22 (c) The district may finance, construct, or acquire a road  
23 that has been certified by the licensed engineer as a thoroughfare,  
24 arterial, or collector road, or any improvements in aid of the road.

25 (d) A road project must meet all applicable standards,  
26 regulations, ordinances, or orders of:

27 (1) each municipality in whose corporate limits or

1 extraterritorial jurisdiction the road project is located; and

2 (2) each county in which the road project is located if  
3 the road project is not located in the corporate limits of a  
4 municipality.

5 (e) The district may, with the consent of the municipality  
6 or county, convey a completed road project to:

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

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

10 [Sections 8226.053-8226.100 reserved for expansion]

11 SUBCHAPTER C. BONDS

12 Sec. 8226.101. AUTHORITY TO ISSUE BONDS AND OTHER  
13 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds  
14 or other obligations payable wholly or partly from ad valorem  
15 taxes, impact fees, revenue, grants, or other district money, or  
16 any combination of those sources, to pay for road projects.

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

21 (c) The total principal amount of bonds, notes, or other  
22 obligations issued or incurred to finance the road projects may not  
23 exceed one-fourth of the assessed value of the real property in the  
24 district according to the most recent certified appraisal roll for  
25 Fort Bend County.

26 SECTION 2. The Cinco Southwest Municipal Utility District  
27 No. 3 retains all the rights, powers, privileges, authority,

1 duties, and functions that it had before the effective date of this  
2 Act.

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

10 (b) The governor, one of the required recipients, has  
11 submitted the notice and Act to the Texas Commission on  
12 Environmental Quality.

13 (c) The Texas Commission on Environmental Quality has filed  
14 its recommendations relating to this Act with the governor, the  
15 lieutenant governor, and the speaker of the house of  
16 representatives within the required time.

17 (d) All requirements of the constitution and laws of this  
18 state and the rules and procedures of the legislature with respect  
19 to the notice, introduction, and passage of this Act are fulfilled  
20 and accomplished.

21 SECTION 4. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2007.

S.B. No. 1988

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1988 passed the Senate on May 1, 2007, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1988 passed the House on May 23, 2007, by the following vote: Yeas 144, Nays 0, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor