

1-1 By: Hegar S.B. No. 1988
1-2 (In the Senate - Filed March 30, 2007; April 3, 2007, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 23, 2007, reported favorably by the following
1-5 vote: Yeas 3, Nays 0; April 23, 2007, sent to printer.)

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

1-8 relating to the powers and duties of the Cinco Southwest Municipal
1-9 Utility District No. 3; providing authority to impose a tax and
1-10 issue bonds.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapter 8226 to read as follows:

1-14 CHAPTER 8226. CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 3

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 Sec. 8226.001. DEFINITIONS. In this chapter:

1-17 (1) "Board" means the board of directors of the
1-18 district.

1-19 (2) "Director" means a board member.

1-20 (3) "District" means the Cinco Southwest Municipal
1-21 Utility District No. 3.

1-22 Sec. 8226.002. NATURE OF DISTRICT. (a) The district is a
1-23 municipal utility district created under and essential to
1-24 accomplish the purposes of Section 59, Article XVI, Texas
1-25 Constitution.

1-26 (b) The district, to the extent authorized by Section
1-27 8226.052 and Section 52, Article III, Texas Constitution, has road
1-28 powers.

1-29 Sec. 8226.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All
1-30 land and other property in the district will benefit from the
1-31 improvements and services to be provided by the district.

1-32 [Sections 8226.004-8226.050 reserved for expansion]

1-33 SUBCHAPTER B. POWERS AND DUTIES

1-34 Sec. 8226.051. MUNICIPAL UTILITY DISTRICT POWERS AND
1-35 DUTIES. (a) The district has the powers and duties provided by the
1-36 general law of this state, including Chapters 49 and 54, Water Code,
1-37 applicable to municipal utility districts created under Section 59,
1-38 Article XVI, Texas Constitution.

1-39 (b) The district has the powers and duties necessary to
1-40 accomplish the purposes for which the district is created.

1-41 Sec. 8226.052. ROAD PROJECTS. (a) Under Section 52,
1-42 Article III, Texas Constitution, the district may finance,
1-43 construct, or acquire a road project as provided by this section.

1-44 (b) The district shall employ or contract with a licensed
1-45 engineer to certify whether a proposed road project meets the
1-46 criteria for a thoroughfare, arterial, or collector road of:

1-47 (1) a county in whose jurisdiction the proposed road
1-48 project is located; or

1-49 (2) a municipality in whose corporate limits or
1-50 extraterritorial jurisdiction the proposed road project is
1-51 located.

1-52 (c) The district may finance, construct, or acquire a road
1-53 that has been certified by the licensed engineer as a thoroughfare,
1-54 arterial, or collector road, or any improvements in aid of the road.

1-55 (d) A road project must meet all applicable standards,
1-56 regulations, ordinances, or orders of:

1-57 (1) each municipality in whose corporate limits or
1-58 extraterritorial jurisdiction the road project is located; and

1-59 (2) each county in which the road project is located if
1-60 the road project is not located in the corporate limits of a
1-61 municipality.

1-62 (e) The district may, with the consent of the municipality
1-63 or county, convey a completed road project to:

1-64 (1) a municipality in whose corporate limits or

extraterritorial jurisdiction the road project is located; or
(2) a county in which the road project is located.
[Sections 8226.053-8226.100 reserved for expansion]

SUBCHAPTER C. BONDS

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

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

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

SECTION 2. The Cinco Southwest Municipal Utility District
No. 3 retains all the rights, powers, privileges, authority,
duties, and functions that it had before the effective date of this
Act.

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

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

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

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

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

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