

By: Deuell

S.B. No. 2054

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the powers and duties of the Parker Creek Municipal  
3 Utility District of Rockwall County; providing authority to issue  
4 bonds.

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

6 SECTION 1. The heading to Subchapter C, Chapter 8123,  
7 Special District Local Laws Code, is amended to read as follows:

8 SUBCHAPTER C. POWERS AND DUTIES [~~CONTINGENT ON ANNEXATION BY~~  
9 ~~MUNICIPALITY~~]

10 SECTION 2. Subsections (a), (b), and (d), Section 8123.102,  
11 Special District Local Laws Code, are amended to read as follows:

12 (a) The [~~In the part of the district annexed by the~~  
13 ~~municipality, the~~] district may construct, acquire, improve,  
14 maintain, or operate [~~macadamized, graveled, or~~] paved roads and  
15 enhancements or [~~turnpikes or~~] improvements to [~~in aid of~~] those  
16 roads in or adjacent to the district [~~or turnpikes~~].

17 (b) A road project authorized by this section must meet or  
18 exceed all applicable construction standards mutually agreed upon  
19 by the district and any municipality in whose corporate boundaries  
20 or extraterritorial jurisdiction the district is located [~~, zoning~~  
21 ~~and subdivision requirements, and regulatory ordinances of the~~  
22 ~~municipality. The district may not undertake a road project under~~  
23 ~~this section unless the municipality consents by ordinance or~~  
24 ~~resolution~~].

1           (d) The district may not undertake a road project unless  
2 each municipality in whose corporate limits or extraterritorial  
3 jurisdiction the district is located consents by ordinance or  
4 resolution. If the district is located outside the  
5 extraterritorial jurisdiction of a municipality, the district may  
6 not undertake a road project unless each county in which the  
7 district is located consents by ordinance or resolution [~~Section~~  
8 ~~49.182, Water Code, does not apply to a project under this section~~].

9           SECTION 3. Section 8123.151, Special District Local Laws  
10 Code, is amended by amending Subsection (a) and adding Subsections  
11 (c) and (d) to read as follows:

12           (a) The district may issue bonds in accordance with Chapters  
13 49 and 54, Water Code, and to finance the construction, operation,  
14 or maintenance of a project under Section 8123.102.

15           (c) The district may not issue bonds or other obligations  
16 secured wholly or partly by ad valorem taxation to finance projects  
17 authorized by Section 8123.102 unless the issuance is approved by a  
18 vote of a two-thirds majority of district voters voting at an  
19 election called for that purpose.

20           (d) Bonds or other obligations issued or incurred to finance  
21 projects authorized by Section 8123.102 may not exceed one-fourth  
22 of the assessed value of the real property in the district.

23           SECTION 4. Section 8123.152, Special District Local Laws  
24 Code, is amended to read as follows:

25           Sec. 8123.152. TAX TO REPAY BONDS. The district may impose  
26 a tax to pay the principal of and interest on bonds issued under  
27 Section [~~8123.103 or~~] 8123.151.

1 SECTION 5. Section 8123.153, Special District Local Laws  
2 Code, is amended to read as follows:

3 Sec. 8123.153. OPERATION AND MAINTENANCE TAX. [~~(a)~~] The  
4 district may impose a tax for any district operation and  
5 maintenance purpose in the manner provided by Section 49.107, Water  
6 Code.

7 [~~(b) Section 49.107(f), Water Code, does not apply to~~  
8 ~~reimbursement for a project constructed or acquired under Section~~  
9 ~~8123.102.~~]

10 SECTION 6. The following are repealed:

11 (1) Subchapter B, Chapter 8123, Special District Local  
12 Laws Code;

13 (2) Section 8123.101, Special District Local Laws  
14 Code; and

15 (3) Section 8123.103, Special District Local Laws  
16 Code.

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

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

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the  
2 lieutenant governor, and the speaker of the house of  
3 representatives within the required time.

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

8 SECTION 8. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2007.