

By: Riddle

H.B. No. 3990

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the name, powers, and duties of the Northampton
3 Municipal Utility District; 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. Chapter 608, Acts of the 60th Legislature,
7 Regular Session, 1967, is amended by amending Section 1 and adding
8 Section 11A to read as follows:

9 Sec. 1. Under and pursuant to the provisions of Article 16,
10 Section 59 of the Constitution of Texas, a conservation and
11 reclamation district is hereby created and established in Harris
12 County, Texas, to be known as "Northampton [~~"Norchester~~] Municipal
13 Utility District," hereinafter called the "district," which shall
14 be a governmental agency and a body politic and corporate. The
15 creation and establishment of the district is hereby declared to be
16 essential to the accomplishment of the purposes of Article 16,
17 Section 59, Constitution of Texas.

18 Sec. 11A. (a) Notwithstanding the limitation on
19 authorization based on acreage under Section 54.801(a), Water Code,
20 the district may establish and administer defined areas as provided
21 by Subchapter J, Chapter 54, Water Code.

22 (b) Under Article III, Section 52, Texas Constitution, the
23 district may construct, acquire, improve, maintain, or operate
24 macadamized, graveled, or paved roads, or improvements, including

1 storm drainage, in aid of those roads, in a defined area established
2 under this section.

3 (c) The district may issue bonds or other obligations as
4 provided by Chapters 49 and 54, Water Code, to finance the
5 construction, acquisition, improvement, maintenance, or operation
6 of projects under Subsection (b).

7 (d) The district may impose an ad valorem tax on real
8 property in a defined area to pay the principal of or interest on
9 bonds issued under Subsection (c) to finance projects benefiting
10 the defined area.

11 (e) The district may not issue bonds or other obligations
12 secured wholly or partly by ad valorem taxes to finance a project
13 authorized by Subsection (b) unless the issuance is approved by a
14 vote of a two-thirds majority of the voters of the defined area to
15 be benefited by the project as provided by Subchapter J, Chapter 54,
16 Water Code, voting at an election called for that purpose. The
17 simple majority vote approval required by Section 54.808(a), Water
18 Code, does not apply to an election under this subsection.

19 (f) At the time of issuance, the total principal amount of
20 bonds or other obligations issued or incurred to finance projects
21 authorized by Subsection (b) benefiting a defined area may not
22 exceed one-fourth of the assessed value of the real property in the
23 defined area.

24 SECTION 2. (a) The act or proceeding relating to the change
25 of name of the Norchester Municipal Utility District to the
26 Northampton Municipal Utility District is validated and confirmed
27 in all respects.

1 (b) This section does not apply to any matter that on the
2 effective date of this Act:

3 (1) is involved in litigation if the litigation
4 ultimately results in the matter being held invalid by a final court
5 judgment; or

6 (2) has been held invalid by a final court judgment.

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

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

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

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

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.