

By: Gattis

H.B. No. 4779

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the powers and duties of the 3 B&J Municipal Utility
3 District; providing authority to impose a tax and issue bonds.

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

5 SECTION 1. Subchapter C, Chapter 8221, Special District
6 Local Laws Code, is amended by adding Sections 8221.109 and
7 8221.110 to read as follows:

8 Sec. 8221.109. AUTHORITY FOR ROAD PROJECTS. Under Section
9 52, Article III, Texas Constitution, the district may design,
10 acquire, construct, finance, issue bonds for, improve, operate,
11 maintain, and convey to this state, a county, or a municipality for
12 operation and maintenance macadamized, graveled, or paved roads, or
13 improvements, including storm drainage, in aid of those roads.

14 Sec. 8221.110. ROAD STANDARDS AND REQUIREMENTS. (a) A road
15 project must meet all applicable construction standards, zoning and
16 subdivision requirements, and regulations of each municipality in
17 whose corporate limits or extraterritorial jurisdiction the road
18 project is located.

19 (b) If a road project is not located in the corporate limits
20 or extraterritorial jurisdiction of a municipality, the road
21 project must meet all applicable construction standards,
22 subdivision requirements, and regulations of each county in which
23 the road project is located.

24 (c) If the state will maintain and operate the road, the

1 Texas Transportation Commission must approve the plans and
2 specifications of the road project.

3 SECTION 2. Section 8221.201, Special District Local Laws
4 Code, is amended to read as follows:

5 Sec. 8221.201. AUTHORITY TO ISSUE BONDS AND OTHER
6 OBLIGATIONS. The district may issue bonds or other obligations
7 payable wholly or partly from ad valorem taxes, impact fees,
8 revenue, grants, or other district money, or any combination of
9 those sources, to pay for any authorized district purpose,
10 including a purpose described by Section 8221.109.

11 SECTION 3. Subchapter E, Chapter 8221, Special District
12 Local Laws Code, is amended by adding Section 8221.203 to read as
13 follows:

14 Sec. 8221.203. BONDS FOR ROAD PROJECTS. (a) At the time of
15 issuance, the total principal amount of bonds or other obligations
16 issued or incurred to finance road projects and payable from ad
17 valorem taxes may not exceed one-fourth of the assessed value of the
18 real property in the district.

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

23 SECTION 4. (a) The legal notice of the intention to
24 introduce this Act, setting forth the general substance of this
25 Act, has been published as provided by law, and the notice and a
26 copy of this Act have been furnished to all persons, agencies,
27 officials, or entities to which they are required to be furnished

1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2 Government Code.

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

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

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

14 SECTION 5. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2009.