

AN ACT

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

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

SECTION 1. Subchapter C, Chapter 8221, Special District Local Laws Code, is amended by adding Sections 8221.109, 8221.110, and 8221.111 to read as follows:

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

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

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

(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 Sec. 8221.111. LIMITATION ON USE OF EMINENT DOMAIN. The
4 district may not exercise the power of eminent domain outside the
5 district to acquire a site or easement for a road project authorized
6 by Section 8221.109.

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

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

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

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

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

27 SECTION 4. (a) The legal notice of the intention to

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

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

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

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

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

President of the Senate

Speaker of the House

I certify that H.B. No. 4779 was passed by the House on May 5, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 4779 on May 23, 2009, by the following vote: Yeas 138, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4779 was passed by the Senate, with amendments, on May 21, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor