

By: Huffman

S.B. No. 929

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Sienna Plantation  
Municipal Utility District No. 4; providing authority to impose a  
tax and issue bonds; granting a limited power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws  
Code, is amended by adding Chapter 8320 to read as follows:

CHAPTER 8320. SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 4

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8320.001. DEFINITION. In this chapter, "district"  
means the Sienna Plantation Municipal Utility District No. 4.

Sec. 8320.002. NATURE AND PURPOSES OF DISTRICT. (a) The  
district is a municipal utility district created under and  
essential to accomplish the purposes of Section 59, Article XVI,  
Texas Constitution.

(b) The district is essential to accomplish the purposes of  
Section 52, Article III, Texas Constitution, that relate to the  
construction, acquisition, improvement, operation, or maintenance  
of macadamized, graveled, or paved roads, or improvements,  
including storm drainage, in aid of those roads.

[Sections 8320.003-8320.050 reserved for expansion]

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8320.051. GENERAL POWERS AND DUTIES. The district has  
the powers and duties necessary to accomplish the purposes

1 described by Section 8320.002.

2 Sec. 8320.052. MUNICIPAL UTILITY DISTRICT POWERS AND  
3 DUTIES. The district has the powers and duties provided by the  
4 general law of this state, including Chapters 49 and 54, Water Code,  
5 applicable to municipal utility districts created under Section 59,  
6 Article XVI, Texas Constitution.

7 Sec. 8320.053. AUTHORITY FOR ROAD PROJECTS. Under Section  
8 52, Article III, Texas Constitution, the district may design,  
9 acquire, construct, finance, issue bonds for, improve, operate,  
10 maintain, and convey to this state, a county, or a municipality for  
11 operation and maintenance macadamized, graveled, or paved roads, or  
12 improvements, including storm drainage, in aid of those roads.

13 Sec. 8320.054. ROAD STANDARDS AND REQUIREMENTS. (a) A  
14 road project must meet all applicable construction standards,  
15 zoning and subdivision requirements, and regulations of each  
16 municipality in whose corporate limits or extraterritorial  
17 jurisdiction the road project is located.

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

23 (c) If the state will maintain and operate the road, the  
24 Texas Transportation Commission must approve the plans and  
25 specifications of the road project.

26 Sec. 8320.055. LIMITATION ON USE OF EMINENT DOMAIN. The  
27 district may not exercise the power of eminent domain outside the

1 district to acquire a site or easement for a road project authorized  
2 by Section 8320.053.

3 [Sections 8320.056-8320.100 reserved for expansion]

4 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

5 Sec. 8320.101. AUTHORITY TO ISSUE BONDS AND OTHER  
6 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds  
7 or other obligations payable wholly or partly from ad valorem  
8 taxes, impact fees, revenue, contract payments, grants, or other  
9 district money, or any combination of those sources, to pay for a  
10 road project authorized by Section 8320.053.

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

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

20 Sec. 8320.102. TAXES FOR BONDS. At the time the district  
21 issues bonds payable wholly or partly from ad valorem taxes, the  
22 district shall provide for the annual imposition of a continuing  
23 direct ad valorem tax, without limit as to rate or amount, while all  
24 or part of the bonds are outstanding as required and in the manner  
25 provided by Sections 54.601 and 54.602, Water Code.

26 SECTION 2. The Sienna Plantation Municipal Utility District  
27 No. 4 retains all the rights, powers, privileges, authority,

1 duties, and functions that it had before the effective date of this  
2 Act.

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

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

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

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

21 SECTION 4. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2009.