

1-1 By: Huberty (Senate Sponsor - Whitmire) H.B. No. 1801
1-2 (In the Senate - Received from the House May 6, 2013;
1-3 May 7, 2013, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 14, 2013, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 14, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>Hinojosa</u>	X		
1-9	<u>Nichols</u>	X		
1-10	<u>Garcia</u>	X		
1-11	<u>Paxton</u>	X		
1-12	<u>Taylor</u>	X		

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to the powers and duties of the Harris County Municipal
1-16 Utility District No. 423; providing authority to issue bonds;
1-17 providing authority to impose fees and taxes.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-20 Code, is amended by adding Chapter 8466 to read as follows:

1-21 CHAPTER 8466. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 423

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 8466.001. DEFINITION. In this chapter, "district"
1-24 means the Harris County Municipal Utility District No. 423.

1-25 Sec. 8466.002. NATURE AND PURPOSES OF DISTRICT. (a) The
1-26 district is a municipal utility district created under Section 59,
1-27 Article XVI, Texas Constitution.

1-28 (b) The district is created to accomplish the purposes of:

1-29 (1) a municipal utility district as provided by
1-30 general law and Section 59, Article XVI, Texas Constitution; and

1-31 (2) Section 52, Article III, Texas Constitution, that
1-32 relate to the construction, acquisition, improvement, operation,
1-33 or maintenance of macadamized, graveled, or paved roads, or
1-34 improvements, including storm drainage, in aid of those roads.

1-35 SUBCHAPTER B. POWERS AND DUTIES

1-36 Sec. 8466.051. GENERAL POWERS AND DUTIES. The district has
1-37 the powers and duties necessary to accomplish the purposes for
1-38 which the district is created.

1-39 Sec. 8466.052. MUNICIPAL UTILITY DISTRICT POWERS AND
1-40 DUTIES. The district has the powers and duties provided by the
1-41 general law of this state, including Chapters 49 and 54, Water Code,
1-42 applicable to municipal utility districts created under Section 59,
1-43 Article XVI, Texas Constitution.

1-44 Sec. 8466.053. AUTHORITY FOR ROAD PROJECTS. Under Section
1-45 52, Article III, Texas Constitution, the district may design,
1-46 acquire, construct, finance, issue bonds for, improve, operate,
1-47 maintain, and convey to this state, a county, or a municipality for
1-48 operation and maintenance macadamized, graveled, or paved roads, or
1-49 improvements, including storm drainage, in aid of those roads.

1-50 Sec. 8466.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
1-51 project must meet all applicable construction standards, zoning and
1-52 subdivision requirements, and regulations of each municipality in
1-53 whose corporate limits or extraterritorial jurisdiction the road
1-54 project is located.

1-55 (b) If a road project is not located in the corporate limits
1-56 or extraterritorial jurisdiction of a municipality, the road
1-57 project must meet all applicable construction standards,
1-58 subdivision requirements, and regulations of each county in which
1-59 the road project is located.

1-60 (c) If the state will maintain and operate the road, the
1-61 Texas Transportation Commission must approve the plans and

2-1 specifications of the road project.

2-2 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-3 Sec. 8466.101. AUTHORITY TO ISSUE BONDS AND OTHER
2-4 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
2-5 other obligations payable wholly or partly from ad valorem taxes,
2-6 impact fees, revenue, contract payments, grants, or other district
2-7 money, or any combination of those sources, to pay for a road
2-8 project authorized by Section 8466.053.

2-9 (b) The district may not issue bonds payable from ad valorem
2-10 taxes to finance a road project unless the issuance is approved by a
2-11 vote of a two-thirds majority of the district voters voting at an
2-12 election held for that purpose.

2-13 (c) At the time of issuance, the total principal amount of
2-14 bonds or other obligations issued or incurred to finance road
2-15 projects and payable from ad valorem taxes may not exceed
2-16 one-fourth of the assessed value of the real property in the
2-17 district.

2-18 Sec. 8466.102. TAXES FOR BONDS. At the time the district
2-19 issues bonds payable wholly or partly from ad valorem taxes, the
2-20 board shall provide for the annual imposition of a continuing
2-21 direct ad valorem tax, without limit as to rate or amount, while all
2-22 or part of the bonds are outstanding as required and in the manner
2-23 provided by Sections 54.601 and 54.602, Water Code.

2-24 SECTION 2. The Harris County Municipal Utility District No.
2-25 423 retains all rights, powers, privileges, authorities, duties,
2-26 and functions that it had before the effective date of this Act.

2-27 SECTION 3. (a) The legislature validates and confirms all
2-28 governmental acts and proceedings of the Harris County Municipal
2-29 Utility District No. 423 that were taken before the effective date
2-30 of this Act.

2-31 (b) This section does not apply to any matter that on the
2-32 effective date of this Act:

2-33 (1) is involved in litigation if the litigation
2-34 ultimately results in the matter being held invalid by a final court
2-35 judgment; or

2-36 (2) has been held invalid by a final court judgment.

2-37 SECTION 4. (a) The legal notice of the intention to
2-38 introduce this Act, setting forth the general substance of this
2-39 Act, has been published as provided by law, and the notice and a
2-40 copy of this Act have been furnished to all persons, agencies,
2-41 officials, or entities to which they are required to be furnished
2-42 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-43 Government Code.

2-44 (b) The governor, one of the required recipients, has
2-45 submitted the notice and Act to the Texas Commission on
2-46 Environmental Quality.

2-47 (c) The Texas Commission on Environmental Quality has filed
2-48 its recommendations relating to this Act with the governor, the
2-49 lieutenant governor, and the speaker of the house of
2-50 representatives within the required time.

2-51 (d) All requirements of the constitution and laws of this
2-52 state and the rules and procedures of the legislature with respect
2-53 to the notice, introduction, and passage of this Act are fulfilled
2-54 and accomplished.

2-55 SECTION 5. This Act takes effect immediately if it receives
2-56 a vote of two-thirds of all the members elected to each house, as
2-57 provided by Section 39, Article III, Texas Constitution. If this
2-58 Act does not receive the vote necessary for immediate effect, this
2-59 Act takes effect September 1, 2013.

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