

By: Zerwas

H.B. No. 3873

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the powers and duties of Fort Bend County Municipal
3 Utility District No. 194.

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

5 SECTION 1. Section 8317.002(b), Special District Local Laws
6 Code, is amended to read as follows:

7 (b) The district is essential to accomplish the purposes of
8 Section 52, Article III, Texas Constitution, that relate to the
9 construction, acquisition, ~~[ex]~~ improvement, operation, or
10 maintenance of macadamized, graveled, or paved roads ~~[described by~~
11 ~~Section 54.234, Water Code]~~, or improvements, including storm
12 drainage, in aid of those roads.

13 SECTION 2. Section 8317.053, Special District Local Laws
14 Code, is amended to read as follows:

15 Sec. 8317.053. AUTHORITY FOR ROAD PROJECTS. ~~[(a)]~~ Under
16 Section 52, Article III, Texas Constitution, the district may
17 design, acquire, construct, finance, issue bonds for, improve,
18 operate, maintain, and convey to this state, a county, or a
19 municipality for operation and maintenance macadamized, graveled,
20 or paved roads ~~[described by Section 54.234, Water Code]~~, or
21 improvements, including storm drainage, in aid of those roads.

22 ~~[(b) The district may exercise the powers provided by this~~
23 ~~section without submitting a petition to or obtaining approval from~~
24 ~~the Texas Commission on Environmental Quality as required by~~

1 ~~Section 54.234, Water Code.]~~

2 SECTION 3. Subchapter B, Chapter 8317, Special District
3 Local Laws Code, is amended by adding Section 8317.0541 to read as
4 follows:

5 Sec. 8317.0541. ROAD STANDARDS AND REQUIREMENTS. (a) A
6 road project must meet all applicable construction standards,
7 zoning and subdivision requirements, and regulations of each
8 municipality in whose corporate limits or extraterritorial
9 jurisdiction the road project is located.

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

15 (c) If the state will maintain and operate the road, the
16 Texas Transportation Commission must approve the plans and
17 specifications of the road project.

18 SECTION 4. Section 8317.054, Special District Local Laws
19 Code, is repealed.

20 SECTION 5. Fort Bend County Municipal Utility District No.
21 194 retains all rights, powers, privileges, authority, duties, and
22 functions that it had before the effective date of this Act.

23 SECTION 6. (a) The legislature validates and confirms all
24 governmental acts and proceedings of the Fort Bend County Municipal
25 Utility District No. 194 that were taken before the effective date
26 of this Act.

27 (b) This section does not apply to any matter that on the

1 effective date of this Act:

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

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

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

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

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

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

24 SECTION 8. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

H.B. No. 3873

1 Act takes effect September 1, 2013.