

1 AN ACT

2 relating to the powers and duties of the Willow Point Municipal
3 Utility District of Fort Bend and Waller Counties; providing
4 authority to impose a tax and issue bonds.

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

6 SECTION 1. Subtitle F, Title 6, Special District Local Laws
7 Code, is amended by adding Chapter 8413 to read as follows:

8 CHAPTER 8413. WILLOW POINT MUNICIPAL UTILITY DISTRICT OF
9 FORT BEND AND WALLER COUNTIES

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 8413.001. DEFINITION. In this chapter, "district"
12 means the Willow Point Municipal Utility District of Fort Bend and
13 Waller Counties.

14 Sec. 8413.002. NATURE OF DISTRICT. The district is a
15 municipal utility district in Fort Bend and Waller Counties created
16 under and essential to accomplish the purposes of Section 52(b)(3),
17 Article III, or Section 59, Article XVI, Texas Constitution.

18 Sec. 8413.003. MUNICIPAL UTILITY DISTRICT POWERS AND
19 DUTIES. The district has the powers and duties provided by the
20 general law of this state, including Chapters 49 and 54, Water Code,
21 applicable to municipal utility districts created under Section 59,
22 Article XVI, Texas Constitution.

23 [Sections 8413.004-8413.050 reserved for expansion]

1 SUBCHAPTER B. POWERS AND DUTIES

2 Sec. 8413.051. ROAD PROJECTS. (a) The district may
3 construct, acquire, improve, maintain, or operate macadamized,
4 graveled, or paved roads or turnpikes, or improvements in aid of
5 those roads or turnpikes, inside the district.

6 (b) A road project must meet all applicable construction
7 standards, zoning and subdivision requirements, and regulations
8 of:

9 (1) each municipality in whose corporate limits or
10 extraterritorial jurisdiction the district is located; and

11 (2) each county in which the district is located.

12 (c) The district may not undertake a road project unless
13 each municipality in whose corporate limits or extraterritorial
14 jurisdiction the district is located consents by resolution.

15 Sec. 8413.052. COMPLIANCE WITH MUNICIPAL CONSENT
16 RESOLUTIONS. The district shall comply with all applicable
17 requirements of any resolution, adopted by the governing body of a
18 municipality, that consented to the creation of the district or to
19 the inclusion of land in the district.

20 [Sections 8413.053-8413.100 reserved for expansion]

21 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

22 Sec. 8413.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The
23 district may impose a tax to pay the principal of or interest on
24 bonds issued under Section 8413.151.

25 [Sections 8413.102-8413.150 reserved for expansion]

26 SUBCHAPTER D. BONDS

27 Sec. 8413.151. AUTHORITY TO ISSUE BONDS AND OTHER

1 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds
2 or other obligations as provided by Chapters 49 and 54, Water Code,
3 to finance the construction, maintenance, or operation of projects
4 under Section 8413.051.

5 (b) The district may not issue bonds or other obligations
6 secured wholly or partly by ad valorem taxation to finance projects
7 authorized by Section 8413.051 unless the issuance is approved by a
8 vote of a two-thirds majority of the voters in the district or of
9 the defined areas to be benefited by the project as provided by
10 Subchapter J, Chapter 54, Water Code, voting at an election called
11 for that purpose. The simple majority vote approval required by
12 Section 54.808(a), Water Code, does not apply to an election under
13 this subsection.

14 (c) Bonds or other obligations issued or incurred to finance
15 projects authorized by Section 8413.051 may not exceed one-fourth
16 of the assessed value of the real property in the district or the
17 defined area as provided by Subchapter J, Chapter 54, Water Code.

18 SECTION 2. (a) The legal notice of the intention to
19 introduce this Act, setting forth the general substance of this
20 Act, has been published as provided by law, and the notice and a
21 copy of this Act have been furnished to all persons, agencies,
22 officials, or entities to which they are required to be furnished
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
24 Government Code.

25 (b) The governor, one of the required recipients, has
26 submitted the notice and Act to the Texas Commission on
27 Environmental Quality.

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

5 (d) All requirements of the constitution and laws of this
6 state and the rules and procedures of the legislature with respect
7 to the notice, introduction, and passage of this Act are fulfilled
8 and accomplished.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 351 passed the Senate on March 13, 2013, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 351 passed the House, with amendment, on May 17, 2013, by the following vote: Yeas 134, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor