

1-1 By: Hegar S.B. No. 351
1-2 (In the Senate - Filed February 4, 2013; February 11, 2013,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; March 4, 2013, reported favorably by the following
1-5 vote: Yeas 4, Nays 0; March 4, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Hinojosa	X		
1-9	Nichols	X		
1-10	Paxton	X		
1-11	Taylor	X		

1-12 A BILL TO BE ENTITLED
1-13 AN ACT

1-14 relating to the powers and duties of the Willow Point Municipal
1-15 Utility District of Fort Bend and Waller Counties; providing
1-16 authority to impose a tax and issue bonds.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-19 Code, is amended by adding Chapter 8413 to read as follows:

1-20 CHAPTER 8413. WILLOW POINT MUNICIPAL UTILITY DISTRICT OF
1-21 FORT BEND AND WALLER COUNTIES

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 8413.001. DEFINITION. In this chapter, "district"
1-24 means the Willow Point Municipal Utility District of Fort Bend and
1-25 Waller Counties.

1-26 Sec. 8413.002. NATURE OF DISTRICT. The district is a
1-27 municipal utility district in Fort Bend and Waller Counties created
1-28 under and essential to accomplish the purposes of Section 52(b)(3),
1-29 Article III, or Section 59, Article XVI, Texas Constitution.

1-30 Sec. 8413.003. APPLICABILITY OF OTHER LAW. Except as
1-31 otherwise provided by this chapter, Chapters 49 and 54, Water Code,
1-32 apply to the district.

1-33 [Sections 8413.004-8413.050 reserved for expansion]

1-34 SUBCHAPTER B. POWERS AND DUTIES

1-35 Sec. 8413.051. ROAD PROJECTS. (a) The district may
1-36 construct, acquire, improve, maintain, or operate macadamized,
1-37 graveled, or paved roads or turnpikes, or improvements in aid of
1-38 those roads or turnpikes, inside the district.

1-39 (b) A road project must meet all applicable construction
1-40 standards, zoning and subdivision requirements, and regulations
1-41 of:

1-42 (1) each municipality in whose corporate limits or
1-43 extraterritorial jurisdiction the district is located; and

1-44 (2) each county in which the district is located.

1-45 (c) The district may not undertake a road project unless
1-46 each municipality in whose corporate limits or extraterritorial
1-47 jurisdiction the district is located consents by resolution.

1-48 Sec. 8413.052. COMPLIANCE WITH MUNICIPAL CONSENT
1-49 RESOLUTIONS. The district shall comply with all applicable
1-50 requirements of any resolution, adopted by the governing body of a
1-51 municipality, that consented to the creation of the district or to
1-52 the inclusion of land in the district.

1-53 [Sections 8413.053-8413.100 reserved for expansion]

1-54 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

1-55 Sec. 8413.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The
1-56 district may impose a tax to pay the principal of or interest on
1-57 bonds issued under Section 8413.151.

1-58 [Sections 8413.102-8413.150 reserved for expansion]

1-59 SUBCHAPTER D. BONDS

1-60 Sec. 8413.151. AUTHORITY TO ISSUE BONDS AND OTHER
1-61 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds

2-1 or other obligations as provided by Chapters 49 and 54, Water Code,
2-2 to finance the construction, maintenance, or operation of projects
2-3 under Section 8413.051.

2-4 (b) The district may not issue bonds or other obligations
2-5 secured wholly or partly by ad valorem taxation to finance projects
2-6 authorized by Section 8413.051 unless the issuance is approved by a
2-7 vote of a two-thirds majority of the voters in the district or of
2-8 the defined areas to be benefited by the project as provided by
2-9 Subchapter J, Chapter 54, Water Code, voting at an election called
2-10 for that purpose. The simple majority vote approval required by
2-11 Section 54.808(a), Water Code, does not apply to an election under
2-12 this subsection.

2-13 (c) Bonds or other obligations issued or incurred to finance
2-14 projects authorized by Section 8413.051 may not exceed one-fourth
2-15 of the assessed value of the real property in the district or the
2-16 defined area as provided by Subchapter J, Chapter 54, Water Code.

2-17 SECTION 2. (a) The legal notice of the intention to
2-18 introduce this Act, setting forth the general substance of this
2-19 Act, has been published as provided by law, and the notice and a
2-20 copy of this Act have been furnished to all persons, agencies,
2-21 officials, or entities to which they are required to be furnished
2-22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-23 Government Code.

2-24 (b) The governor, one of the required recipients, has
2-25 submitted the notice and Act to the Texas Commission on
2-26 Environmental Quality.

2-27 (c) The Texas Commission on Environmental Quality has filed
2-28 its recommendations relating to this Act with the governor, the
2-29 lieutenant governor, and the speaker of the house of
2-30 representatives within the required time.

2-31 (d) All requirements of the constitution and laws of this
2-32 state and the rules and procedures of the legislature with respect
2-33 to the notice, introduction, and passage of this Act are fulfilled
2-34 and accomplished.

2-35 SECTION 3. This Act takes effect immediately if it receives
2-36 a vote of two-thirds of all the members elected to each house, as
2-37 provided by Section 39, Article III, Texas Constitution. If this
2-38 Act does not receive the vote necessary for immediate effect, this
2-39 Act takes effect September 1, 2013.

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