

1-1 By: Hegar S.B. No. 836
1-2 (In the Senate - Filed February 26, 2013; March 5, 2013, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; March 25, 2013, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; March 25, 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. 171; providing authority to impose a tax and
1-17 issue bonds.

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 8442 to read as follows:

1-21 CHAPTER 8442. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 171

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 8442.001. DEFINITION. In this chapter:

1-24 (1) "Board" means the board of directors of the
1-25 district.

1-26 (2) "District" means the Harris County Municipal
1-27 Utility District No. 171.

1-28 Sec. 8442.002. NATURE AND PURPOSES OF DISTRICT. (a) The
1-29 district is a municipal utility district created under Section 59,
1-30 Article XVI, Texas Constitution.

1-31 (b) The district is created to accomplish the purposes of:

1-32 (1) a municipal utility district as provided by
1-33 general law and Section 59, Article XVI, Texas Constitution; and

1-34 (2) Section 52, Article III, Texas Constitution, that
1-35 relate to the construction, acquisition, improvement, operation,
1-36 or maintenance of macadamized, graveled, or paved roads, or
1-37 improvements, including storm drainage, in aid of those roads.

1-38 SUBCHAPTER B. POWERS AND DUTIES

1-39 Sec. 8442.051. GENERAL POWERS AND DUTIES. The district has
1-40 the powers and duties necessary to accomplish the purposes for
1-41 which the district is created.

1-42 Sec. 8442.052. MUNICIPAL UTILITY DISTRICT POWERS AND
1-43 DUTIES. The district has the powers and duties provided by the
1-44 general law of this state, including Chapters 49 and 54, Water Code,
1-45 applicable to municipal utility districts created under Section 59,
1-46 Article XVI, Texas Constitution.

1-47 Sec. 8442.053. AUTHORITY FOR ROAD PROJECTS. Under Section
1-48 52, Article III, Texas Constitution, the district may design,
1-49 acquire, construct, finance, issue bonds for, improve, operate,
1-50 maintain, and convey to this state, a county, or a municipality for
1-51 operation and maintenance macadamized, graveled, or paved roads, or
1-52 improvements, including storm drainage, in aid of those roads.

1-53 Sec. 8442.054. ROAD STANDARDS AND REQUIREMENTS. (a) A
1-54 road project must meet all applicable construction standards,
1-55 zoning and subdivision requirements, and regulations of each
1-56 municipality in whose corporate limits or extraterritorial
1-57 jurisdiction the road project is located.

1-58 (b) If a road project is not located in the corporate limits
1-59 or extraterritorial jurisdiction of a municipality, the road
1-60 project must meet all applicable construction standards,
1-61 subdivision requirements, and regulations of each county in which

2-1 the road project is located.

2-2 (c) If the state will maintain and operate the road, the
 2-3 Texas Transportation Commission must approve the plans and
 2-4 specifications of the road project.

2-5 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-6 Sec. 8442.101. AUTHORITY TO ISSUE BONDS AND OTHER
 2-7 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds
 2-8 or other obligations payable wholly or partly from ad valorem
 2-9 taxes, impact fees, revenue, contract payments, grants, or other
 2-10 district money, or any combination of those sources, to pay for a
 2-11 road project authorized by Section 8442.053.

2-12 (b) The district may not issue bonds payable from ad valorem
 2-13 taxes to finance a road project unless the issuance is approved by a
 2-14 vote of a two-thirds majority of the district voters voting at an
 2-15 election held for that purpose.

2-16 (c) At the time of issuance, the total principal amount of
 2-17 bonds or other obligations issued or incurred to finance road
 2-18 projects and payable from ad valorem taxes may not exceed
 2-19 one-fourth of the assessed value of the real property in the
 2-20 district.

2-21 Sec. 8442.102. TAXES FOR BONDS. At the time the district
 2-22 issues bonds payable wholly or partly from ad valorem taxes, the
 2-23 board shall provide for the annual imposition of a continuing
 2-24 direct ad valorem tax, without limit as to rate or amount, while all
 2-25 or part of the bonds are outstanding as required and in the manner
 2-26 provided by Sections 54.601 and 54.602, Water Code.

2-27 SECTION 2. The Harris County Municipal Utility District No.
 2-28 171 retains all rights, powers, privileges, authorities, duties,
 2-29 and functions that it had before the effective date of this Act.

2-30 SECTION 3. (a) The legislature validates and confirms all
 2-31 governmental acts and proceedings of the Harris County Municipal
 2-32 Utility District No. 171 that were taken before the effective date
 2-33 of this Act.

2-34 (b) This section does not apply to any matter that on the
 2-35 effective date of this Act:

2-36 (1) is involved in litigation if the litigation
 2-37 ultimately results in the matter being held invalid by a final court
 2-38 judgment; or

2-39 (2) has been held invalid by a final court judgment.

2-40 SECTION 4. (a) The legal notice of the intention to
 2-41 introduce this Act, setting forth the general substance of this
 2-42 Act, has been published as provided by law, and the notice and a
 2-43 copy of this Act have been furnished to all persons, agencies,
 2-44 officials, or entities to which they are required to be furnished
 2-45 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 2-46 Government Code.

2-47 (b) The governor, one of the required recipients, has
 2-48 submitted the notice and Act to the Texas Commission on
 2-49 Environmental Quality.

2-50 (c) The Texas Commission on Environmental Quality has filed
 2-51 its recommendations relating to this Act with the governor, the
 2-52 lieutenant governor, and the speaker of the house of
 2-53 representatives within the required time.

2-54 (d) All requirements of the constitution and laws of this
 2-55 state and the rules and procedures of the legislature with respect
 2-56 to the notice, introduction, and passage of this Act are fulfilled
 2-57 and accomplished.

2-58 SECTION 5. This Act takes effect immediately if it receives
 2-59 a vote of two-thirds of all the members elected to each house, as
 2-60 provided by Section 39, Article III, Texas Constitution. If this
 2-61 Act does not receive the vote necessary for immediate effect, this
 2-62 Act takes effect September 1, 2013.

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