

1-1 By: Paxton S.B. No. 1852
1-2 (In the Senate - Filed March 21, 2013; March 25, 2013, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 11, 2013, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; April 11, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			

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

1-15 relating to the powers and duties of the Collin County Water Control
1-16 and Improvement District No. 3; providing authority to issue bonds.

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

1-18 SECTION 1. Subtitle I, Title 6, Special District Local Laws
1-19 Code, is amended by adding Chapter 9043 to read as follows:

1-20 CHAPTER 9043. COLLIN COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT
1-21 NO. 3

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 9043.001. DEFINITIONS. In this chapter:

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

1-25 (2) "District" means the Collin County Water Control
1-26 and Improvement District No. 3.

1-27 Sec. 9043.002. NATURE AND PURPOSES OF DISTRICT. (a) The
1-28 district is a water control and improvement district created under
1-29 Section 59, Article XVI, Texas Constitution.

1-30 (b) The district is created to accomplish the purposes of:

1-31 (1) a water control and improvement district as
1-32 provided by general law and Section 59, Article XVI, Texas
1-33 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. 9043.051. 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. 9043.052. WATER CONTROL AND IMPROVEMENT DISTRICT
1-43 POWERS AND DUTIES. The district has the powers and duties provided
1-44 by the general law of this state, including Chapters 49 and 51,
1-45 Water Code, applicable to water control and improvement districts
1-46 created under Section 59, Article XVI, Texas Constitution.

1-47 Sec. 9043.053. 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. 9043.054. 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. 9043.101. 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 9043.053.

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 real property in the district.

2-20 Sec. 9043.102. TAXES FOR BONDS. At the time the district
2-21 issues bonds payable wholly or partly from ad valorem taxes, the
2-22 board shall provide for the annual imposition of a continuing
2-23 direct ad valorem tax, without limit as to rate or amount, while all
2-24 or part of the bonds are outstanding.

2-25 SECTION 2. The Collin County Water Control and Improvement
2-26 District No. 3 retains all the rights, powers, privileges,
2-27 authority, duties, and functions that it had before the effective
2-28 date of this Act.

2-29 SECTION 3. (a) The legal notice of the intention to
2-30 introduce this Act, setting forth the general substance of this
2-31 Act, has been published as provided by law, and the notice and a
2-32 copy of this Act have been furnished to all persons, agencies,
2-33 officials, or entities to which they are required to be furnished
2-34 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-35 Government Code.

2-36 (b) The governor, one of the required recipients, has
2-37 submitted the notice and Act to the Texas Commission on
2-38 Environmental Quality.

2-39 (c) The Texas Commission on Environmental Quality has filed
2-40 its recommendations relating to this Act with the governor, the
2-41 lieutenant governor, and the speaker of the house of
2-42 representatives within the required time.

2-43 (d) All requirements of the constitution and laws of this
2-44 state and the rules and procedures of the legislature with respect
2-45 to the notice, introduction, and passage of this Act are fulfilled
2-46 and accomplished.

2-47 SECTION 4. This Act takes effect immediately if it receives
2-48 a vote of two-thirds of all the members elected to each house, as
2-49 provided by Section 39, Article III, Texas Constitution. If this
2-50 Act does not receive the vote necessary for immediate effect, this
2-51 Act takes effect September 1, 2013.

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