

By: King of Parker

H.B. No. 1236

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Morningstar Ranch
Municipal Utility Districts Nos. 1 and 2 of Parker County;
providing authority to issue bonds; providing authority to impose
fees and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws
Code, is amended by adding Chapter 8490 to read as follows:

CHAPTER 8490. MORNINGSTAR RANCH MUNICIPAL UTILITY DISTRICT NO. 1
OF PARKER COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8490.001. DEFINITION. In this chapter, "district"
means the Morningstar Ranch Municipal Utility District No. 1 of
Parker County.

Sec. 8490.002. NATURE AND PURPOSES OF DISTRICT. (a) The
district is a municipal utility district created under Section 59,
Article XVI, Texas Constitution.

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

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

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

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8490.051. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8490.052. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8490.053. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8490.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and

1 specifications of the road project.

2 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

3 Sec. 8490.101. AUTHORITY TO ISSUE BONDS AND OTHER
4 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
5 other obligations payable wholly or partly from ad valorem taxes,
6 revenue, contract payments, grants, or other district money, or any
7 combination of those sources, to pay for a road project authorized
8 by Section 8490.053.

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

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

18 Sec. 8490.102. TAXES FOR BONDS. At the time the district
19 issues bonds payable wholly or partly from ad valorem taxes, the
20 district shall provide for the annual imposition of a continuing
21 direct ad valorem tax, without limit as to rate or amount, while all
22 or part of the bonds are outstanding as required and in the manner
23 provided by Sections [54.601](#) and [54.602](#), Water Code.

24 SECTION 2. Subtitle F, Title 6, Special District Local Laws
25 Code, is amended by adding Chapter 8491 to read as follows:

CHAPTER 8491. MORNINGSTAR RANCH MUNICIPAL UTILITY DISTRICT NO. 2

OF PARKER COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8491.001. DEFINITION. In this chapter, "district" means the Morningstar Ranch Municipal Utility District No. 2 of Parker County.

Sec. 8491.002. NATURE AND PURPOSES OF DISTRICT. (a) The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

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

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

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

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8491.051. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8491.052. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8491.053. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design,

1 acquire, construct, finance, issue bonds for, improve, operate,
2 maintain, and convey to this state, a county, or a municipality for
3 operation and maintenance macadamized, graveled, or paved roads, or
4 improvements, including storm drainage, in aid of those roads.

5 Sec. 8491.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
6 project must meet all applicable construction standards, zoning and
7 subdivision requirements, and regulations of each municipality in
8 whose corporate limits or extraterritorial jurisdiction the road
9 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 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

19 Sec. 8491.101. AUTHORITY TO ISSUE BONDS AND OTHER
20 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
21 other obligations payable wholly or partly from ad valorem taxes,
22 revenue, contract payments, grants, or other district money, or any
23 combination of those sources, to pay for a road project authorized
24 by Section 8491.053.

25 (b) The district may not issue bonds payable from ad valorem
26 taxes to finance a road project unless the issuance is approved by a
27 vote of a two-thirds majority of the district voters voting at an

1 election held for that purpose.

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

7 Sec. 8491.102. TAXES FOR BONDS. At the time the district
8 issues bonds payable wholly or partly from ad valorem taxes, the
9 district shall provide for the annual imposition of a continuing
10 direct ad valorem tax, without limit as to rate or amount, while all
11 or part of the bonds are outstanding as required and in the manner
12 provided by Sections [54.601](#) and [54.602](#), Water Code.

13 SECTION 3. The Morningstar Ranch Municipal Utility
14 Districts Nos. 1 and 2 of Parker County retain all rights, powers,
15 privileges, authority, duties, and functions that they had before
16 the effective date of this Act.

17 SECTION 4. (a) The legal notice of the intention to
18 introduce this Act, setting forth the general substance of this
19 Act, has been published as provided by law, and the notice and a
20 copy of this Act have been furnished to all persons, agencies,
21 officials, or entities to which they are required to be furnished
22 under Section [59](#), Article XVI, Texas Constitution, and Chapter 313,
23 Government Code.

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

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

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

8 SECTION 5. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2015.