

By: Bell

H.B. No. 4125

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Montgomery County
Municipal Utility District No. 111; providing authority to issue
bonds and 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 8390 to read as follows:

CHAPTER 8390. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 111

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8390.001. DEFINITION. In this chapter, "district"
means the Montgomery County Municipal Utility District No. 111.

Sec. 8390.002. 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. 8390.051. GENERAL POWERS AND DUTIES. The district has
the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 8390.052. MUNICIPAL UTILITY DISTRICT POWERS AND
3 DUTIES. The district has the powers and duties provided by the
4 general law of this state, including Chapters 49 and 54, Water Code,
5 applicable to municipal utility districts created under Section 59,
6 Article XVI, Texas Constitution.

7 Sec. 8390.053. AUTHORITY FOR ROAD PROJECTS. Under Section
8 52, Article III, Texas Constitution, the district may design,
9 acquire, construct, finance, issue bonds for, improve, operate,
10 maintain, and convey to this state, a county, or a municipality for
11 operation and maintenance macadamized, graveled, or paved roads, or
12 improvements, including storm drainage, in aid of those roads.

13 Sec. 8390.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
14 project must meet all applicable construction standards, zoning and
15 subdivision requirements, and regulations of each municipality in
16 whose corporate limits or extraterritorial jurisdiction the road
17 project is located.

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

23 (c) If the state will maintain and operate the road, the
24 Texas Transportation Commission must approve the plans and
25 specifications of the road project.

26 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

27 Sec. 8390.101. AUTHORITY TO ISSUE BONDS AND OTHER

1 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
2 other obligations payable wholly or partly from ad valorem taxes,
3 impact fees, revenue, contract payments, grants, or other district
4 money, or any combination of those sources, to pay for a road
5 project authorized by Section 8390.053.

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

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

15 Sec. 8390.102. TAXES FOR BONDS. At the time the district
16 issues bonds payable wholly or partly from ad valorem taxes, the
17 district shall provide for the annual imposition of a continuing
18 direct ad valorem tax, without limit as to rate or amount, while all
19 or part of the bonds are outstanding as required and in the manner
20 provided by Sections 54.601 and 54.602, Water Code.

21 SECTION 2. The Montgomery County Municipal Utility District
22 No. 111 retains all rights, powers, privileges, authority, duties,
23 and functions that it had before the effective date of this Act.

24 SECTION 3. (a) The legal notice of the intention to
25 introduce this Act, setting forth the general substance of this
26 Act, has been published as provided by law, and the notice and a
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3 Government Code.

4 (b) The governor, one of the required recipients, has
5 submitted the notice and Act to the Texas Commission on
6 Environmental Quality.

7 (c) The Texas Commission on Environmental Quality has filed
8 its recommendations relating to this Act with the governor, the
9 lieutenant governor, and the speaker of the house of
10 representatives within the required time.

11 (d) All requirements of the constitution and laws of this
12 state and the rules and procedures of the legislature with respect
13 to the notice, introduction, and passage of this Act are fulfilled
14 and accomplished.

15 SECTION 4. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2015.