

By: Bell

H.B. No. 4205

A BILL TO BE ENTITLED

AN ACT

1
2 relating to powers and duties of the Porter Special Utility
3 District; granting a limited power of eminent domain in the defined
4 areas or designated property; providing authority to establish
5 defined areas or designated property, to issue bonds, and to impose
6 taxes for the benefit of defined areas or designated property.

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

8 SECTION 1. Subtitle C, Title 6, Special District Local Laws
9 Code, is amended by adding Chapter 7220 to read as follows:

10 CHAPTER 7220. PORTER SPECIAL UTILITY DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 7220.001. DEFINITION. In this chapter, "district"
13 means the Porter Special Utility District.

14 Sec. 7220.002. NATURE AND PURPOSE OF DISTRICT. (a) The
15 district is a special utility district created under Section 59,
16 Article XVI, Texas Constitution.

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

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

20 (2) in defined areas or designated property of the
21 district established in accordance with Subchapter B, a municipal
22 utility district as provided by general law and Section 59, Article
23 XVI, Texas Constitution.

1 SUBCHAPTER B. POWERS AND DUTIES

2 Sec. 7220.051. GENERAL POWERS AND DUTIES. The district has
3 the powers and duties necessary to accomplish the purposes for
4 which the district is created.

5 Sec. 7220.052. SPECIAL UTILITY DISTRICT POWERS AND DUTIES.
6 Except as provided by this chapter, the district has all of the
7 powers and duties provided by general law of this state, including
8 Chapters 49 and 65, Water Code, applicable to special utility
9 districts created under Section 59, Article XVI, Texas
10 Constitution.

11 Sec. 7220.053. AUTHORITY TO ESTABLISH DEFINED AREAS OR
12 DESIGNATED PROPERTY. (a) The district may establish and maintain
13 defined areas or designated property in accordance with Subchapter
14 J, Chapter 54, Water Code, including the power to impose taxes and
15 issue bonds in the defined areas or designated property.

16 (b) Section 65.235, Water Code, does not apply to the
17 district.

18 Sec. 7220.054. ANNEXATION OF LAND TO DEFINED AREAS OR
19 DESIGNATED PROPERTY. The district may annex land to an existing
20 defined area or designated property in the same manner as land
21 annexed to a district as provided by Sections 49.301 and 49.302,
22 Water Code. Land annexed to a defined area or designated property
23 must also be included in the district but is not required to be
24 contiguous to the defined area or designated property into which it
25 is annexed.

26 Sec. 7220.055. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES
27 IN DEFINED AREA OR DESIGNATED PROPERTY. In a defined area or

1 designated property created by the district, the district has the
2 powers and duties provided by the general law of this state,
3 including Chapters 49 and 54, Water Code, applicable to municipal
4 utility districts created under Section 59, Article XVI, Texas
5 Constitution.

6 SECTION 2. (a) The legal notice of the intention to
7 introduce this Act, setting forth the general substance of this
8 Act, has been published as provided by law, and the notice and a
9 copy of this Act have been furnished to all persons, agencies,
10 officials, or entities to which they are required to be furnished
11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
12 Government Code.

13 (b) The governor, one of the required recipients, has
14 submitted the notice and Act to the Texas Commission on
15 Environmental Quality.

16 (c) The Texas Commission on Environmental Quality has filed
17 its recommendations relating to this Act with the governor, the
18 lieutenant governor, and the speaker of the house of
19 representatives within the required time.

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 3. This Act takes effect September 1, 2015.