

1-1 By: Riddle (Senate Sponsor - Bettencourt) H.B. No. 4206
 1-2 (In the Senate - Received from the House May 20, 2015;
 1-3 May 21, 2015, read first time and referred to Committee on
 1-4 Administration; May 24, 2015, reported favorably by the following
 1-5 vote: Yeas 4, Nays 0; May 24, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Uresti	X			
1-9 Campbell			X	
1-10 Eltife			X	
1-11 Huffines	X			
1-12 Schwertner	X			
1-13 West			X	

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the powers and duties of the Dowdell Public Utility
 1-18 District; providing authority to issue bonds; providing authority
 1-19 to impose fees and taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 8184.003(c), Special District Local Laws
 1-22 Code, is amended to read as follows:

1-23 (c) The creation of the district is essential to accomplish
 1-24 the purposes of:

1-25 (1) a municipal utility district as provided by
 1-26 general law and Section 59, Article XVI, Texas Constitution; and

1-27 (2) Section 52, Article III, Texas Constitution, that
 1-28 relate to the construction, acquisition, improvement, operation,
 1-29 or maintenance of macadamized, graveled, or paved roads, or
 1-30 improvements, including storm drainage, in aid of those roads.

1-31 SECTION 2. Subchapter C, Chapter 8184, Special District
 1-32 Local Laws Code, is amended by adding Sections 8184.102, 8184.103,
 1-33 and 8184.104 to read as follows:

1-34 Sec. 8184.102. AUTHORITY TO ESTABLISH DEFINED AREAS.
 1-35 Notwithstanding the acreage requirement under Section 54.801(a),
 1-36 Water Code, the district may establish and administer defined areas
 1-37 as provided by Subchapter J, Chapter 54, Water Code.

1-38 Sec. 8184.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 1-39 52, Article III, Texas Constitution, the district may design,
 1-40 acquire, construct, finance, issue bonds for, improve, operate,
 1-41 maintain, and convey to this state, a county, or a municipality for
 1-42 operation and maintenance macadamized, graveled, or paved roads, or
 1-43 improvements, including storm drainage, in aid of those roads.

1-44 Sec. 8184.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 1-45 project must meet all applicable construction standards, zoning and
 1-46 subdivision requirements, and regulations of each municipality in
 1-47 whose corporate limits or extraterritorial jurisdiction the road
 1-48 project is located.

1-49 (b) If a road project is not located in the corporate limits
 1-50 or extraterritorial jurisdiction of a municipality, the road
 1-51 project must meet all applicable construction standards,
 1-52 subdivision requirements, and regulations of each county in which
 1-53 the road project is located.

1-54 (c) If the state will maintain and operate the road, the
 1-55 Texas Transportation Commission must approve the plans and
 1-56 specifications of the road project.

1-57 SECTION 3. Chapter 8184, Special District Local Laws Code,
 1-58 is amended by adding Subchapter D to read as follows:

1-59 SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

1-60 Sec. 8184.151. AUTHORITY TO ISSUE BONDS AND OTHER
 1-61 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or

2-1 other obligations payable wholly or partly from ad valorem taxes,
2-2 impact fees, revenue, contract payments, grants, or other district
2-3 money, or any combination of those sources, to pay for a road
2-4 project authorized by Section 8184.103.

2-5 (b) The district may not issue bonds payable from ad valorem
2-6 taxes to finance a road project unless the issuance is approved by a
2-7 vote of a two-thirds majority of the district voters voting at an
2-8 election held for that purpose.

2-9 (c) At the time of issuance, the total principal amount of
2-10 bonds or other obligations issued or incurred to finance road
2-11 projects and payable from ad valorem taxes may not exceed
2-12 one-fourth of the assessed value of the real property in the
2-13 district.

2-14 Sec. 8184.152. TAXES FOR BONDS. At the time the district
2-15 issues bonds payable wholly or partly from ad valorem taxes, the
2-16 district shall provide for the annual imposition of a continuing
2-17 direct ad valorem tax, without limit as to rate or amount, while all
2-18 or part of the bonds are outstanding as required and in the manner
2-19 provided by Sections 54.601 and 54.602, Water Code.

2-20 SECTION 4. The Dowdell Public Utility District retains all
2-21 rights, powers, privileges, authority, duties, and functions that
2-22 it had before the effective date of this Act.

2-23 SECTION 5. (a) The legislature validates and confirms all
2-24 acts and proceedings of the board of directors of the Dowdell Public
2-25 Utility District that were taken before the effective date of this
2-26 Act.

2-27 (b) Subsection (a) of this section does not apply to any
2-28 matter that on the effective date of this Act:

2-29 (1) is involved in litigation if the litigation
2-30 ultimately results in the matter being held invalid by a final
2-31 judgment of a court; or

2-32 (2) has been held invalid by a final judgment of a
2-33 court.

2-34 SECTION 6. (a) The legal notice of the intention to
2-35 introduce this Act, setting forth the general substance of this
2-36 Act, has been published as provided by law, and the notice and a
2-37 copy of this Act have been furnished to all persons, agencies,
2-38 officials, or entities to which they are required to be furnished
2-39 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-40 Government Code.

2-41 (b) The governor, one of the required recipients, has
2-42 submitted the notice and Act to the Texas Commission on
2-43 Environmental Quality.

2-44 (c) The Texas Commission on Environmental Quality has filed
2-45 its recommendations relating to this Act with the governor, the
2-46 lieutenant governor, and the speaker of the house of
2-47 representatives within the required time.

2-48 (d) All requirements of the constitution and laws of this
2-49 state and the rules and procedures of the legislature with respect
2-50 to the notice, introduction, and passage of this Act are fulfilled
2-51 and accomplished.

2-52 SECTION 7. This Act takes effect immediately if it receives
2-53 a vote of two-thirds of all the members elected to each house, as
2-54 provided by Section 39, Article III, Texas Constitution. If this
2-55 Act does not receive the vote necessary for immediate effect, this
2-56 Act takes effect September 1, 2015.

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