

1-1 By: Creighton S.B. No. 2002
 1-2 (In the Senate - Filed March 18, 2015; March 30, 2015, read
 1-3 first time and referred to Committee on Intergovernmental
 1-4 Relations; April 29, 2015, reported favorably by the following
 1-5 vote: Yeas 7, Nays 0; April 29, 2015, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|--------------------------|-----|-----|--------|-----|
| 1-7 Lucio | X | | | |
| 1-8 Bettencourt | X | | | |
| 1-9 Campbell | X | | | |
| 1-10 Garcia | X | | | |
| 1-11 Menéndez | X | | | |
| 1-12 Nichols | X | | | |
| 1-13 Taylor of Galveston | X | | | |

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

1-17 relating to the powers and duties of the Montgomery County
 1-18 Municipal Utility District No. 111; providing authority to issue
 1-19 bonds and impose fees and taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-22 Code, is amended by adding Chapter 8390 to read as follows:

1-23 CHAPTER 8390. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 111
 1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 8390.001. DEFINITION. In this chapter, "district"
 1-26 means the Montgomery County Municipal Utility District No. 111.

1-27 Sec. 8390.002. NATURE AND PURPOSES OF DISTRICT. (a) The
 1-28 district is a municipal utility district created under Section 59,
 1-29 Article XVI, Texas Constitution.

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

1-31 (1) a municipal utility district as provided by
 1-32 general law and Section 59, Article XVI, Texas Constitution; and

1-33 (2) Section 52, Article III, Texas Constitution, that
 1-34 relate to the construction, acquisition, improvement, operation,
 1-35 or maintenance of macadamized, graveled, or paved roads, or
 1-36 improvements, including storm drainage, in aid of those roads.

1-37 SUBCHAPTER B. POWERS AND DUTIES

1-38 Sec. 8390.051. GENERAL POWERS AND DUTIES. The district has
 1-39 the powers and duties necessary to accomplish the purposes for
 1-40 which the district is created.

1-41 Sec. 8390.052. MUNICIPAL UTILITY DISTRICT POWERS AND
 1-42 DUTIES. The district has the powers and duties provided by the
 1-43 general law of this state, including Chapters 49 and 54, Water Code,
 1-44 applicable to municipal utility districts created under Section 59,
 1-45 Article XVI, Texas Constitution.

1-46 Sec. 8390.053. AUTHORITY FOR ROAD PROJECTS. Under Section
 1-47 52, Article III, Texas Constitution, the district may design,
 1-48 acquire, construct, finance, issue bonds for, improve, operate,
 1-49 maintain, and convey to this state, a county, or a municipality for
 1-50 operation and maintenance macadamized, graveled, or paved roads, or
 1-51 improvements, including storm drainage, in aid of those roads.

1-52 Sec. 8390.054. ROAD STANDARDS AND REQUIREMENTS. (a) A
 1-53 road project must meet all applicable construction standards,
 1-54 zoning and subdivision requirements, and regulations of each
 1-55 municipality in whose corporate limits or extraterritorial
 1-56 jurisdiction the road project is located.

1-57 (b) If a road project is not located in the corporate limits
 1-58 or extraterritorial jurisdiction of a municipality, the road
 1-59 project must meet all applicable construction standards,
 1-60 subdivision requirements, and regulations of each county in which
 1-61 the road project is located.

2-1 (c) If the state will maintain and operate the road, the
2-2 Texas Transportation Commission must approve the plans and
2-3 specifications of the road project.

2-4 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-5 Sec. 8390.101. AUTHORITY TO ISSUE BONDS AND OTHER
2-6 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds
2-7 or other obligations payable wholly or partly from ad valorem
2-8 taxes, impact fees, revenue, contract payments, grants, or other
2-9 district money, or any combination of those sources, to pay for a
2-10 road project authorized by Section 8390.053.

2-11 (b) The district may not issue bonds payable from ad valorem
2-12 taxes to finance a road project unless the issuance is approved by a
2-13 vote of a two-thirds majority of the district voters voting at an
2-14 election held for that purpose.

2-15 (c) At the time of issuance, the total principal amount of
2-16 bonds or other obligations issued or incurred to finance road
2-17 projects and payable from ad valorem taxes may not exceed
2-18 one-fourth of the assessed value of the real property in the
2-19 district.

2-20 Sec. 8390.102. TAXES FOR BONDS. At the time the district
2-21 issues bonds payable wholly or partly from ad valorem taxes, the
2-22 district 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 as required and in the manner
2-25 provided by Sections 54.601 and 54.602, Water Code.

2-26 SECTION 2. The Montgomery County Municipal Utility District
2-27 No. 111 retains all rights, powers, privileges, authority, duties,
2-28 and functions that it had before the effective 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, 2015.

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