

1-1 By: Taylor of Galveston S.B. No. 2032
1-2 (In the Senate - Filed April 6, 2015; April 7, 2015, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 28, 2015, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 28, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

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

1-17 relating to the powers and duties of the Galveston County Municipal
1-18 Utility District No. 36; providing authority to issue bonds and
1-19 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 7931 to read as follows:

1-23 CHAPTER 7931. GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 36

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 7931.001. DEFINITION. In this chapter, "district"
1-26 means the Galveston County Municipal Utility District No. 36.

1-27 Sec. 7931.002. 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. 7931.051. 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. 7931.052. 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. 7931.053. 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. 7931.054. 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. 7931.101. 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 7931.053.

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. 7931.102. 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 Galveston County Municipal Utility District
2-27 No. 36 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 legislature validates and confirms all
2-30 governmental acts and proceedings of the Galveston County Municipal
2-31 Utility District No. 36 that were taken before the effective date of
2-32 this Act.

2-33 (b) This section does not apply to any matter that on the
2-34 effective date of this Act:

2-35 (1) is involved in litigation if the litigation
2-36 ultimately results in the matter being held invalid by a final court
2-37 judgment; or

2-38 (2) has been held invalid by a final court judgment.

2-39 SECTION 4. (a) The legal notice of the intention to
2-40 introduce this Act, setting forth the general substance of this
2-41 Act, has been published as provided by law, and the notice and a
2-42 copy of this Act have been furnished to all persons, agencies,
2-43 officials, or entities to which they are required to be furnished
2-44 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-45 Government Code.

2-46 (b) The governor, one of the required recipients, has
2-47 submitted the notice and Act to the Texas Commission on
2-48 Environmental Quality.

2-49 (c) The Texas Commission on Environmental Quality has filed
2-50 its recommendations relating to this Act with the governor, the
2-51 lieutenant governor, and the speaker of the house of
2-52 representatives within the required time.

2-53 (d) All requirements of the constitution and laws of this
2-54 state and the rules and procedures of the legislature with respect
2-55 to the notice, introduction, and passage of this Act are fulfilled
2-56 and accomplished.

2-57 SECTION 5. This Act takes effect immediately if it receives
2-58 a vote of two-thirds of all the members elected to each house, as
2-59 provided by Section 39, Article III, Texas Constitution. If this
2-60 Act does not receive the vote necessary for immediate effect, this
2-61 Act takes effect September 1, 2015.

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