

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 7, 2017

The Honorable Joe Straus  
Texas House of Representatives  
Capitol Station  
PO Box 2910  
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 2987, as Filed by Representative Pat Fallon - Relating to the powers and duties of the Denton County Municipal Utility Districts Nos. 4 and 5; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

This bill amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 7980 regarding Denton County Municipal Utility District No. 4 and Chapter 7981 regarding Denton County Municipal Utility District No. 5; this bill adds Chapter 7980 which specifies that Denton County Municipal Utility District No. 4 has the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54. This bill grants Denton County Municipal Utility District No. 4 authority for road powers. This bill specifies that Denton County Municipal Utility District No. 4 may not exercise the powers authorized by Section 7980.052 unless approved by a vote of a majority of district voters voting at an election called for that purpose. The bill specifies that Denton County Municipal Utility District No. 4 may not issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for a road project authorized by Section 7980.052; and, this bill adds Chapter 7981 which specifies that Denton County Municipal Utility District No. 5 has the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54. This bill grants Denton County Municipal Utility District No. 5 authority for road powers. This bill specifies that Denton County Municipal Utility District No. 5 may not exercise the powers authorized by Section 7981.052 unless approved by a vote of a majority of district voters voting at an election called for that purpose. The bill specifies that Denton County Municipal Utility District No. 5 may not issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants,

Hon. Joe Straus  
Page 2  
April 7, 2017

or other district money, or any combination of those sources, to pay for a road project authorized by Section 7981.052.

Sincerely,

A handwritten signature in cursive script that reads "Cari-Michel LaCaille". The signature is written in black ink and is positioned above the typed name.

Cari-Michel LaCaille, Director  
Water Supply Division

cc: Honorable Jim Murphy, Chairman, House Special Purpose Districts Committee  
Representative Pat Fallon, Texas House of Representatives

LETTER OF TRANSMITTAL  
HOUSE OF REPRESENTATIVES  
STATE OF TEXAS

HB 2987  
Bill Number

TO: The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

3/6/2017

Date transmitted to  
Governor's Office

  
Chief Clerk  
House of Representatives

TO: Texas Commission on Environmental Quality  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 13, 2017

Date transmitted to  
Texas Commission on Environmental Quality



\_\_\_\_\_  
Governor

TO: The Honorable Speaker of the House  
The Honorable President of the Senate  
The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

  
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Texas Commission on Environmental Quality



85R HB 02987