

By: Fallon

H.B. No. 2987

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the powers and duties of the Denton County Municipal  
3 Utility Districts Nos. 4 and 5; providing authority to issue bonds;  
4 providing authority to impose assessments, fees, and taxes.

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

6 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
7 Code, is amended by adding Chapters 7980 and 7981 to read as  
8 follows:

9 CHAPTER 7980. DENTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 4

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7980.001. DEFINITION. In this chapter, "district"  
12 means the Denton County Municipal Utility District No. 4.

13 SUBCHAPTER B. POWERS AND DUTIES

14 Sec. 7980.051. MUNICIPAL UTILITY DISTRICT POWERS AND  
15 DUTIES. The district has the powers and duties provided by the  
16 general law of this state, including Chapters 49 and 54, Water Code,  
17 applicable to municipal utility districts created under Section 59,  
18 Article XVI, Texas Constitution.

19 Sec. 7980.052. AUTHORITY FOR ROAD PROJECTS. Under Section  
20 52, Article III, Texas Constitution, the district may improve,  
21 operate, or maintain any macadamized, graveled, or paved roads in  
22 existence on September 1, 2017, or improvements, including storm  
23 drainage, in aid of those roads inside the district.

24 Sec. 7980.053. ROAD STANDARDS AND REQUIREMENTS. (a) A road

1 project must meet all applicable construction standards, zoning and  
2 subdivision requirements, and regulations of each municipality in  
3 whose corporate limits or extraterritorial jurisdiction the road  
4 project is located.

5 (b) If a road project is not located in the corporate limits  
6 or extraterritorial jurisdiction of a municipality, the road  
7 project must meet all applicable construction standards,  
8 subdivision requirements, and regulations of each county in which  
9 the road project is located.

10 Sec. 7980.054. ACCEPTANCE OF ROADS. (a) The district by  
11 order of the board may accept any road inside the district that has  
12 been dedicated by plat or otherwise transferred to the public.

13 (b) On acceptance of the road by the district, the district  
14 is considered the owner of the accepted road and shall record  
15 ownership of the road in the deed records of Denton County.

16 Sec. 7980.055. ELECTION REQUIRED. The district may not  
17 exercise the powers authorized by Section 7980.052 unless approved  
18 by a vote of a majority of district voters voting at an election  
19 called for that purpose.

20 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

21 Sec. 7980.101. ISSUANCE OF BONDS AND OTHER OBLIGATIONS FOR  
22 ROAD PROJECTS PROHIBITED. The district may not issue bonds or other  
23 obligations payable wholly or partly from ad valorem taxes, impact  
24 fees, revenue, contract payments, grants, or other district money,  
25 or any combination of those sources, to pay for a road project  
26 authorized by Section 7980.052.

27 CHAPTER 7981. DENTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7981.001. DEFINITION. In this chapter, "district" means the Denton County Municipal Utility District No. 5.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7981.051. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7981.052. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may improve, operate, or maintain any macadamized, graveled, or paved roads in existence on September 1, 2017, or improvements, including storm drainage, in aid of those roads inside the district.

Sec. 7981.053. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

Sec. 7981.054. ACCEPTANCE OF ROADS. (a) The district by order of the board may accept any road inside the district that has been dedicated by plat or otherwise transferred to the public.

1        (b) On acceptance of the road by the district, the district  
2 is considered the owner of the accepted road and shall record  
3 ownership of the road in the deed records of Denton County.

4        Sec. 7981.055. ELECTION REQUIRED. The district may not  
5 exercise the powers authorized by Section 7981.052 unless approved  
6 by a vote of a majority of district voters voting at an election  
7 called for that purpose.

8                    SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

9        Sec. 7981.101. ISSUANCE OF BONDS AND OTHER OBLIGATIONS FOR  
10 ROAD PROJECTS PROHIBITED. The district may not issue bonds or other  
11 obligations payable wholly or partly from ad valorem taxes, impact  
12 fees, revenue, contract payments, grants, or other district money,  
13 or any combination of those sources, to pay for a road project  
14 authorized by Section 7981.052.

15        SECTION 2. (a) The legislature validates and confirms all  
16 governmental acts and proceedings of the Denton County Municipal  
17 Utility Districts Nos. 4 and 5 that were taken before the effective  
18 date of this Act.

19        (b) This section does not apply to any matter that on the  
20 effective date of this Act:

21                (1) is involved in litigation if the litigation  
22 ultimately results in the matter being held invalid by a final court  
23 judgment; or

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

25        SECTION 3. (a) The legal notice of the intention to  
26 introduce this Act, setting forth the general substance of this  
27 Act, has been published as provided by law, and the notice and a

1 copy of this Act have been furnished to all persons, agencies,  
2 officials, or entities to which they are required to be furnished  
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
4 Government Code.

5 (b) The governor, one of the required recipients, has  
6 submitted the notice and Act to the Texas Commission on  
7 Environmental Quality.

8 (c) The Texas Commission on Environmental Quality has filed  
9 its recommendations relating to this Act with the governor, the  
10 lieutenant governor, and the speaker of the house of  
11 representatives within the required time.

12 (d) All requirements of the constitution and laws of this  
13 state and the rules and procedures of the legislature with respect  
14 to the notice, introduction, and passage of this Act are fulfilled  
15 and accomplished.

16 SECTION 4. This Act takes effect August 1, 2017.