

By: Metcalf

H.B. No. 4305

A BILL TO BE ENTITLED

AN ACT

relating to granting road powers to the Montgomery County Municipal Utility District No. 100; providing authority to issue bonds.

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

SECTION 1. Section 8119.002, Special District Local Laws Code, is amended to read as follows:

Sec. 8119.002. NATURE OF DISTRICT; FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit [~~a municipal utility district in Montgomery County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution~~].

(b) The creation of the district is essential to accomplish the purposes of:

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

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

SECTION 2. Subchapter C, Chapter 8119, Special District Local Laws Code, is amended by adding Sections 8119.104 and 8119.105 to read as follows:

Sec. 8119.104. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design,

1 acquire, construct, finance, issue bonds for, improve, operate,  
2 maintain, and convey to this state, a county, or a municipality for  
3 operation and maintenance macadamized, graveled, or paved roads, or  
4 improvements, including storm drainage, in aid of those roads.

5 Sec. 8119.105. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
6 project must meet all applicable construction standards, zoning and  
7 subdivision requirements, and regulations of each municipality in  
8 whose corporate limits or extraterritorial jurisdiction the road  
9 project is located.

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

15 (c) If the state will maintain and operate the road, the  
16 Texas Transportation Commission must approve the plans and  
17 specifications of the road project.

18 SECTION 3. Chapter 8119, Special District Local Laws Code,  
19 is amended by adding Subchapter D to read as follows:

20 SUBCHAPTER D. BONDS

21 Sec. 8119.151. BONDS FOR ROAD PROJECTS. At the time of  
22 issuance, the total principal amount of bonds or other obligations  
23 issued or incurred to finance road projects and payable from ad  
24 valorem taxes may not exceed one-fourth of the assessed value of the  
25 real property in the district.

26 SECTION 4. (a) The legal notice of the intention to  
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a  
2 copy of this Act have been furnished to all persons, agencies,  
3 officials, or entities to which they are required to be furnished  
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
5 Government Code.

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

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

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

17 SECTION 5. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2017.