

By: Schofield

H.B. No. 4324

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the powers and duties of the Harris County Municipal  
3 Utility District No. 61; providing authority to issue bonds and  
4 impose 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 Chapter 8002 to read as follows:

8 CHAPTER 8002. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8002.001. DEFINITION. In this chapter, "district"  
11 means the Harris County Municipal Utility District No. 61.

12 Sec. 8002.002. NATURE AND PURPOSES OF DISTRICT. (a) The  
13 district is a municipal utility district created under Section 59,  
14 Article XVI, Texas Constitution.

15 (b) The district is created to accomplish the purposes of:

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

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

22 SUBCHAPTER B. POWERS AND DUTIES

23 Sec. 8002.051. GENERAL POWERS AND DUTIES. The district has  
24 the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 8002.052. MUNICIPAL UTILITY DISTRICT POWERS AND  
3 DUTIES. The district has the powers and duties provided by the  
4 general law of this state, including Chapters 49 and 54, Water Code,  
5 applicable to municipal utility districts created under Section 59,  
6 Article XVI, Texas Constitution.

7 Sec. 8002.053. AUTHORITY FOR ROAD PROJECTS. Under Section  
8 52, Article III, Texas Constitution, the district may design,  
9 acquire, construct, finance, issue bonds for, improve, operate,  
10 maintain, and convey to this state, a county, or a municipality for  
11 operation and maintenance macadamized, graveled, or paved roads, or  
12 improvements, including storm drainage, in aid of those roads.

13 Sec. 8002.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
14 project must meet all applicable construction standards, zoning and  
15 subdivision requirements, and regulations of each municipality in  
16 whose corporate limits or extraterritorial jurisdiction the road  
17 project is located.

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

23 (c) If the state will maintain and operate the road, the  
24 Texas Transportation Commission must approve the plans and  
25 specifications of the road project.

26 Sec. 8002.055. AUTHORITY TO ESTABLISH DEFINED AREAS.  
27 Notwithstanding the acreage requirement under Section 54.801(a),

1 Water Code, the district may establish and administer defined areas  
2 as provided by Subchapter J, Chapter 54, Water Code.

3 Sec. 8002.056. ADDITION OR EXCLUSION OF LAND IN DEFINED  
4 AREA. The district may add or exclude land from the defined areas  
5 in the same manner the district may add or exclude land from the  
6 district.

7 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

8 Sec. 8002.101. AUTHORITY TO ISSUE BONDS AND OTHER  
9 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or  
10 other obligations payable wholly or partly from ad valorem taxes,  
11 impact fees, revenue, contract payments, grants, or other district  
12 money, or any combination of those sources, to pay for a road  
13 project authorized by Section 8002.053.

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

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

23 Sec. 8002.102. TAXES FOR BONDS. At the time the district  
24 issues bonds payable wholly or partly from ad valorem taxes, the  
25 district shall provide for the annual imposition of a continuing  
26 direct ad valorem tax, without limit as to rate or amount, while all  
27 or part of the bonds are outstanding as required and in the manner

1 provided by Sections 54.601 and 54.602, Water Code.

2 SECTION 2. The Harris County Municipal Utility District  
3 No. 61 retains all the rights, powers, privileges, authority,  
4 duties, and functions that it had before the effective date of this  
5 Act.

6 SECTION 3. (a) The legislature validates and confirms all  
7 governmental acts and proceedings of the Harris County Municipal  
8 Utility District No. 61 that were taken before the effective date of  
9 this Act.

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

12 (1) is involved in litigation if the litigation  
13 ultimately results in the matter being held invalid by a final court  
14 judgment; or

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

16 SECTION 4. (a) The legal notice of the intention to  
17 introduce this Act, setting forth the general substance of this  
18 Act, has been published as provided by law, and the notice and a  
19 copy of this Act have been furnished to all persons, agencies,  
20 officials, or entities to which they are required to be furnished  
21 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
22 Government Code.

23 (b) The governor, one of the required recipients, has  
24 submitted the notice and Act to the Texas Commission on  
25 Environmental Quality.

26 (c) The Texas Commission on Environmental Quality has filed  
27 its recommendations relating to this Act with the governor, the

1 lieutenant governor, and the speaker of the house of  
2 representatives within the required time.

3 (d) All requirements of the constitution and laws of this  
4 state and the rules and procedures of the legislature with respect  
5 to the notice, introduction, and passage of this Act are fulfilled  
6 and accomplished.

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