

1-1 By: Schofield (Senate Sponsor - Huffman) H.B. No. 4324
 1-2 (In the Senate - Received from the House May 19, 2017;
 1-3 May 19, 2017, read first time and referred to Committee on
 1-4 Administration; May 23, 2017, reported favorably by the following
 1-5 vote: Yeas 7, Nays 0; May 23, 2017, 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 Harris County Municipal
 1-18 Utility District No. 61; 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 8002 to read as follows:

1-23 CHAPTER 8002. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61
 1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 8002.001. DEFINITION. In this chapter, "district"
 1-26 means the Harris County Municipal Utility District No. 61.

1-27 Sec. 8002.002. 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. 8002.051. 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. 8002.052. 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. 8002.053. 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. 8002.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 1-53 project must meet all applicable construction standards, zoning and
 1-54 subdivision requirements, and regulations of each municipality in
 1-55 whose corporate limits or extraterritorial jurisdiction the road
 1-56 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 Sec. 8002.055. AUTHORITY TO ESTABLISH DEFINED AREAS.
2-5 Notwithstanding the acreage requirement under Section 54.801(a),
2-6 Water Code, the district may establish and administer defined areas
2-7 as provided by Subchapter J, Chapter 54, Water Code.

2-8 Sec. 8002.056. ADDITION OR EXCLUSION OF LAND IN DEFINED
2-9 AREA. The district may add or exclude land from the defined areas
2-10 in the same manner the district may add or exclude land from the
2-11 district.

2-12 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-13 Sec. 8002.101. AUTHORITY TO ISSUE BONDS AND OTHER
2-14 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
2-15 other obligations payable wholly or partly from ad valorem taxes,
2-16 impact fees, revenue, contract payments, grants, or other district
2-17 money, or any combination of those sources, to pay for a road
2-18 project authorized by Section 8002.053.

2-19 (b) The district may not issue bonds payable from ad valorem
2-20 taxes to finance a road project unless the issuance is approved by a
2-21 vote of a two-thirds majority of the district voters voting at an
2-22 election held for that purpose.

2-23 (c) At the time of issuance, the total principal amount of
2-24 bonds or other obligations issued or incurred to finance road
2-25 projects and payable from ad valorem taxes may not exceed
2-26 one-fourth of the assessed value of the real property in the
2-27 district.

2-28 Sec. 8002.102. TAXES FOR BONDS. At the time the district
2-29 issues bonds payable wholly or partly from ad valorem taxes, the
2-30 district shall provide for the annual imposition of a continuing
2-31 direct ad valorem tax, without limit as to rate or amount, while all
2-32 or part of the bonds are outstanding as required and in the manner
2-33 provided by Sections 54.601 and 54.602, Water Code.

2-34 SECTION 2. The Harris County Municipal Utility District
2-35 No. 61 retains all the rights, powers, privileges, authority,
2-36 duties, and functions that it had before the effective date of this
2-37 Act.

2-38 SECTION 3. (a) The legislature validates and confirms all
2-39 governmental acts and proceedings of the Harris County Municipal
2-40 Utility District No. 61 that were taken before the effective date of
2-41 this Act.

2-42 (b) This section does not apply to any matter that on the
2-43 effective date of this Act:

2-44 (1) is involved in litigation if the litigation
2-45 ultimately results in the matter being held invalid by a final court
2-46 judgment; or

2-47 (2) has been held invalid by a final court judgment.

2-48 SECTION 4. (a) The legal notice of the intention to
2-49 introduce this Act, setting forth the general substance of this
2-50 Act, has been published as provided by law, and the notice and a
2-51 copy of this Act have been furnished to all persons, agencies,
2-52 officials, or entities to which they are required to be furnished
2-53 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-54 Government Code.

2-55 (b) The governor, one of the required recipients, has
2-56 submitted the notice and Act to the Texas Commission on
2-57 Environmental Quality.

2-58 (c) The Texas Commission on Environmental Quality has filed
2-59 its recommendations relating to this Act with the governor, the
2-60 lieutenant governor, and the speaker of the house of
2-61 representatives within the required time.

2-62 (d) All requirements of the constitution and laws of this
2-63 state and the rules and procedures of the legislature with respect
2-64 to the notice, introduction, and passage of this Act are fulfilled
2-65 and accomplished.

2-66 SECTION 5. This Act takes effect immediately if it receives
2-67 a vote of two-thirds of all the members elected to each house, as
2-68 provided by Section 39, Article III, Texas Constitution. If this
2-69 Act does not receive the vote necessary for immediate effect, this

3-1 Act takes effect September 1, 2017.

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