

1-1 By: Campbell S.B. No. 2292
 1-2 (In the Senate - Filed May 2, 2017; May 3, 2017, read first
 1-3 time and referred to Committee on Veteran Affairs and Border
 1-4 Security; May 11, 2017, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 11, 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 Meyer Ranch Municipal
 1-18 Utility District of Comal County; affecting an existing limited
 1-19 power of eminent domain; providing authority to issue bonds;
 1-20 providing authority to impose fees and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-23 Code, is amended by adding Chapter 7989 to read as follows:

1-24 CHAPTER 7989. MEYER RANCH MUNICIPAL UTILITY DISTRICT OF COMAL
 1-25 COUNTY

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 7989.001. DEFINITION. In this chapter, "district"
 1-28 means the Meyer Ranch Municipal Utility District of Comal County.

1-29 Sec. 7989.002. NATURE OF DISTRICT. The district is a
 1-30 municipal utility district created under Section 59, Article XVI,
 1-31 Texas Constitution.

1-32 Sec. 7989.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-33 (a) The district is created to serve a public purpose and benefit.

1-34 (b) The district is created to accomplish the purposes of:

1-35 (1) a municipal utility district as provided by
 1-36 general law and Section 59, Article XVI, Texas Constitution; and

1-37 (2) Section 52, Article III, Texas Constitution, that
 1-38 relate to the construction, acquisition, improvement, operation,
 1-39 or maintenance of macadamized, graveled, or paved roads, or
 1-40 improvements, including storm drainage, in aid of those roads.

1-41 SUBCHAPTER B. POWERS AND DUTIES

1-42 Sec. 7989.051. GENERAL POWERS AND DUTIES. The district has
 1-43 the powers and duties necessary to accomplish the purposes for
 1-44 which the district is created.

1-45 Sec. 7989.052. MUNICIPAL UTILITY DISTRICT POWERS AND
 1-46 DUTIES. The district has the powers and duties provided by the
 1-47 general law of this state, including Chapters 49 and 54, Water Code,
 1-48 applicable to municipal utility districts created under Section 59,
 1-49 Article XVI, Texas Constitution.

1-50 Sec. 7989.053. AUTHORITY FOR ROAD PROJECTS. Under Section
 1-51 52, Article III, Texas Constitution, the district may design,
 1-52 acquire, construct, finance, issue bonds for, improve, operate,
 1-53 maintain, and convey to this state, a county, or a municipality for
 1-54 operation and maintenance macadamized, graveled, or paved roads, or
 1-55 improvements, including storm drainage, in aid of those roads.

1-56 Sec. 7989.054. ROAD STANDARDS AND REQUIREMENTS. (a) A
 1-57 road project must meet all applicable construction standards,
 1-58 zoning and subdivision requirements, and regulations of each
 1-59 municipality in whose corporate limits or extraterritorial
 1-60 jurisdiction the road project is located.

1-61 (b) If a road project is not located in the corporate limits

2-1 or extraterritorial jurisdiction of a municipality, the road
2-2 project must meet all applicable construction standards,
2-3 subdivision requirements, and regulations of each county in which
2-4 the road project is located.

2-5 (c) If the state will maintain and operate the road, the
2-6 Texas Transportation Commission must approve the plans and
2-7 specifications of the road project.

2-8 Sec. 7989.055. LIMITATION ON USE OF EMINENT DOMAIN.

2-9 (a) The district may not exercise the power of eminent domain
2-10 outside the boundaries of the district for any purpose unless the
2-11 proposed exercise is approved by a written resolution of the
2-12 commissioners court of each county in which the district is
2-13 located.

2-14 (b) The district may not exercise the power of eminent
2-15 domain before the entire board of directors is composed of
2-16 directors elected by the residents of the district.

2-17 Sec. 7989.056. COMPLIANCE WITH MARCH 2016 AGREEMENT.

2-18 On the date the district becomes a permittee under Texas Pollutant
2-19 Discharge Elimination System Permit No. WQ0015314001, the district
2-20 shall exercise any power necessary to comply with all applicable
2-21 terms of the "Settlement Agreement" of March 29, 2016, between
2-22 Randolph Todd Company, LLC and:

- 2-23 (1) Patricia and Troy Brand;
- 2-24 (2) Ellen McClellan;
- 2-25 (3) Edward Harris;
- 2-26 (4) Phyllis Yvonne Ritter;
- 2-27 (5) Carole Farmer;
- 2-28 (6) Nelda and Ronald Davis;
- 2-29 (7) Susan Dooley Logue;
- 2-30 (8) Randall and Nancy Pappas;
- 2-31 (9) Daniel and Michele Laroe;
- 2-32 (10) Elizabeth Martin;
- 2-33 (11) Ted Martin;
- 2-34 (12) Taylor Martin;
- 2-35 (13) Hector X. Amaya;
- 2-36 (14) Sabrina Houser-Amaya;
- 2-37 (15) Franklin Houser; and
- 2-38 (16) Bonnie Houser.

2-39 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-40 Sec. 7989.101. AUTHORITY TO ISSUE BONDS AND OTHER

2-41 OBLIGATIONS. (a) The district may issue bonds or other
2-42 obligations payable wholly or partly from ad valorem taxes, impact
2-43 fees, revenue, contract payments, grants, or other district money,
2-44 or any combination of those sources, to pay for a road project
2-45 authorized by Section 7989.053.

2-46 (b) The district may not issue bonds payable from ad valorem
2-47 taxes to finance a road project unless the issuance is approved by a
2-48 vote of a two-thirds majority of the district voters voting at an
2-49 election held for that purpose.

2-50 Sec. 7989.102. TAXES FOR BONDS. At the time the district
2-51 issues bonds payable wholly or partly from ad valorem taxes, the
2-52 board shall provide for the annual imposition of a continuing
2-53 direct ad valorem tax, without limit as to rate or amount, while all
2-54 or part of the bonds are outstanding as required and in the manner
2-55 provided by Sections 54.601 and 54.602, Water Code.

2-56 Sec. 7989.103. BONDS FOR ROAD PROJECTS. At the time of
2-57 issuance, the total principal amount of bonds or other obligations
2-58 issued or incurred to finance road projects and payable from ad
2-59 valorem taxes may not exceed one-fourth of the assessed value of the
2-60 real property in the district.

2-61 SECTION 2. (a) The legal notice of the intention to
2-62 introduce this Act, setting forth the general substance of this
2-63 Act, has been published as provided by law, and the notice and a
2-64 copy of this Act have been furnished to all persons, agencies,
2-65 officials, or entities to which they are required to be furnished
2-66 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-67 Government Code.

2-68 (b) The governor, one of the required recipients, has
2-69 submitted the notice and Act to the Texas Commission on

3-1 Environmental Quality.

3-2 (c) The Texas Commission on Environmental Quality has filed
3-3 its recommendations relating to this Act with the governor, the
3-4 lieutenant governor, and the speaker of the house of
3-5 representatives within the required time.

3-6 (d) All requirements of the constitution and laws of this
3-7 state and the rules and procedures of the legislature with respect
3-8 to the notice, introduction, and passage of this Act are fulfilled
3-9 and accomplished.

3-10 SECTION 3. This Act takes effect immediately if it receives
3-11 a vote of two-thirds of all the members elected to each house, as
3-12 provided by Section 39, Article III, Texas Constitution. If this
3-13 Act does not receive the vote necessary for immediate effect, this
3-14 Act takes effect September 1, 2017.

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