

1-1 By: Oliverson (Senate Sponsor - Bettencourt) H.B. No. 4650  
 1-2 (In the Senate - Received from the House April 29, 2019;  
 1-3 April 29, 2019, read first time and referred to Committee on  
 1-4 Administration; May 3, 2019, reported favorably by the following  
 1-5 vote: Yeas 4, Nays 0; May 3, 2019, 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. 441; providing authority to issue bonds;  
 1-19 providing authority to impose a tax.

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 8028 to read as follows:

1-23 CHAPTER 8028. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 441  
 1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 8028.0101. DEFINITIONS. In this chapter:

- 1-26 (1) "Board" means the district's board of directors.
- 1-27 (2) "District" means the Harris County Municipal

1-28 Utility District No. 441.  
 1-29 Sec. 8028.0102. NATURE AND PURPOSES OF DISTRICT. (a) The  
 1-30 district is a municipal utility district created under Section 59,  
 1-31 Article XVI, Texas Constitution.

1-32 (b) The district is created to accomplish the purposes of:

- 1-33 (1) a municipal utility district as provided by
- 1-34 general law and Section 59, Article XVI, Texas Constitution; and
- 1-35 (2) Section 52, Article III, Texas Constitution, that
- 1-36 relate to the construction, acquisition, improvement, operation,
- 1-37 or maintenance of macadamized, graveled, or paved roads, or
- 1-38 improvements, including storm drainage, in aid of those roads.

1-39 SUBCHAPTER B. POWERS AND DUTIES

1-40 Sec. 8028.0201. GENERAL POWERS AND DUTIES. The district  
 1-41 has the powers and duties necessary to accomplish the purposes for  
 1-42 which the district is created.

1-43 Sec. 8028.0202. MUNICIPAL UTILITY DISTRICT POWERS AND  
 1-44 DUTIES. The district has the powers and duties provided by the  
 1-45 general law of this state, including Chapters 49 and 54, Water Code,  
 1-46 applicable to municipal utility districts created under Section 59,  
 1-47 Article XVI, Texas Constitution.

1-48 Sec. 8028.0203. AUTHORITY FOR ROAD PROJECTS. Under Section  
 1-49 52, Article III, Texas Constitution, the district may design,  
 1-50 acquire, construct, finance, issue bonds for, improve, operate,  
 1-51 maintain, and convey to this state, a county, or a municipality for  
 1-52 operation and maintenance macadamized, graveled, or paved roads, or  
 1-53 improvements, including storm drainage, in aid of those roads.

1-54 Sec. 8028.0204. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 1-55 road project must meet all applicable construction standards,  
 1-56 zoning and subdivision requirements, and regulations of each  
 1-57 municipality in whose corporate limits or extraterritorial  
 1-58 jurisdiction the road project is located.

1-59 (b) If a road project is not located in the corporate limits  
 1-60 or extraterritorial jurisdiction of a municipality, the road  
 1-61 project must meet all applicable construction standards,

2-1 subdivision requirements, and regulations of each county in which  
2-2 the road project is located.

2-3 (c) If the state will maintain and operate the road, the  
2-4 Texas Transportation Commission must approve the plans and  
2-5 specifications of the road project.

2-6 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

2-7 Sec. 8028.0301. AUTHORITY TO ISSUE BONDS AND OTHER  
2-8 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or  
2-9 other obligations payable wholly or partly from ad valorem taxes,  
2-10 impact fees, revenue, contract payments, grants, or other district  
2-11 money, or any combination of those sources, to pay for a road  
2-12 project authorized by Section 8028.0203.

2-13 (b) The district may not issue bonds payable from ad valorem  
2-14 taxes to finance a road project unless the issuance is approved by a  
2-15 vote of a two-thirds majority of the district voters voting at an  
2-16 election held for that purpose.

2-17 (c) At the time of issuance, the total principal amount of  
2-18 bonds or other obligations issued or incurred to finance road  
2-19 projects and payable from ad valorem taxes may not exceed  
2-20 one-fourth of the assessed value of the real property in the  
2-21 district.

2-22 Sec. 8028.0302. TAXES FOR BONDS. At the time the district  
2-23 issues bonds payable wholly or partly from ad valorem taxes, the  
2-24 board shall provide for the annual imposition of a continuing  
2-25 direct ad valorem tax, without limit as to rate or amount, while all  
2-26 or part of the bonds are outstanding as required and in the manner  
2-27 provided by Sections 54.601 and 54.602, Water Code.

2-28 SECTION 2. The Harris County Municipal Utility District  
2-29 No. 441 retains all the rights, powers, privileges, authority,  
2-30 duties, and functions that it had before the effective date of this  
2-31 Act.

2-32 SECTION 3. (a) The legislature validates and confirms all  
2-33 governmental acts and proceedings of the Harris County Municipal  
2-34 Utility District No. 441 that were taken before the effective date  
2-35 of this Act.

2-36 (b) This section does not apply to any matter that on the  
2-37 effective date of this Act:

2-38 (1) is involved in litigation if the litigation  
2-39 ultimately results in the matter being held invalid by a final court  
2-40 judgment; or

2-41 (2) has been held invalid by a final court judgment.

2-42 SECTION 4. (a) The legal notice of the intention to  
2-43 introduce this Act, setting forth the general substance of this  
2-44 Act, has been published as provided by law, and the notice and a  
2-45 copy of this Act have been furnished to all persons, agencies,  
2-46 officials, or entities to which they are required to be furnished  
2-47 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
2-48 Government Code.

2-49 (b) The governor, one of the required recipients, has  
2-50 submitted the notice and Act to the Texas Commission on  
2-51 Environmental Quality.

2-52 (c) The Texas Commission on Environmental Quality has filed  
2-53 its recommendations relating to this Act with the governor, the  
2-54 lieutenant governor, and the speaker of the house of  
2-55 representatives within the required time.

2-56 (d) All requirements of the constitution and laws of this  
2-57 state and the rules and procedures of the legislature with respect  
2-58 to the notice, introduction, and passage of this Act are fulfilled  
2-59 and accomplished.

2-60 SECTION 5. This Act takes effect immediately if it receives  
2-61 a vote of two-thirds of all the members elected to each house, as  
2-62 provided by Section 39, Article III, Texas Constitution. If this  
2-63 Act does not receive the vote necessary for immediate effect, this  
2-64 Act takes effect September 1, 2019.

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