

1-1 By: Oliverson (Senate Sponsor - Kolkhorst) H.B. No. 4686
1-2 (In the Senate - Received from the House May 6, 2019;
1-3 May 6, 2019, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 15, 2019, reported favorably by
1-5 the following vote: Yeas 7, Nays 0; May 15, 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. 478; providing authority to issue bonds;
1-19 providing authority to impose assessments, fees, and taxes.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 8334.005(b), Special District Local Laws
1-22 Code, is amended to read as follows:

1-23 (b) The district is created to accomplish the purposes of:

1-24 (1) a municipal utility district as provided by
1-25 general law and Section 59, Article XVI, Texas Constitution; and

1-26 (2) Section 52, Article III, Texas Constitution, that
1-27 relate to the construction, acquisition, ~~or~~ improvement,
1-28 operation, or maintenance of macadamized, graveled, or paved roads
1-29 ~~[described by Section 54.234, Water Code]~~, or improvements,
1-30 including storm drainage, in aid of those roads.

1-31 SECTION 2. Section 8334.103(a), Special District Local Laws
1-32 Code, is amended to read as follows:

1-33 (a) Under Section 52, Article III, Texas Constitution, the
1-34 district may design, acquire, construct, finance, issue bonds for,
1-35 improve, operate, maintain, and convey to this state, a county, or a
1-36 municipality for operation and maintenance macadamized, graveled,
1-37 or paved roads ~~[described by Section 54.234, Water Code]~~, or
1-38 improvements, including storm drainage, in aid of those roads.

1-39 SECTION 3. Subchapter C, Chapter 8334, Special District
1-40 Local Laws Code, is amended by adding Sections 8334.1035 and
1-41 8334.107 to read as follows:

1-42 Sec. 8334.1035. ROAD STANDARDS AND REQUIREMENTS. (a) A
1-43 road project must meet all applicable construction standards,
1-44 zoning and subdivision requirements, and regulations of each
1-45 municipality in whose corporate limits or extraterritorial
1-46 jurisdiction the road project is located.

1-47 (b) If a road project is not located in the corporate limits
1-48 or extraterritorial jurisdiction of a municipality, the road
1-49 project must meet all applicable construction standards,
1-50 subdivision requirements, and regulations of each county in which
1-51 the road project is located.

1-52 (c) If the state will maintain and operate the road, the
1-53 Texas Transportation Commission must approve the plans and
1-54 specifications of the road project.

1-55 Sec. 8334.107. DIVISION OF DISTRICT. (a) The district may
1-56 be divided into two or more new districts only if the district:

1-57 (1) has never issued any bonds; and

1-58 (2) is not imposing ad valorem taxes.

1-59 (b) This chapter applies to any new district created by the
1-60 division of the district, and a new district has all the powers and
1-61 duties of the district.

2-1 (c) Any new district created by the division of the district
2-2 may not, at the time the new district is created, contain any land
2-3 outside the area described by Section 2 of the Act enacting this
2-4 chapter.
2-5 (d) The board, on its own motion or on receipt of a petition
2-6 signed by the owner or owners of a majority of the assessed value of
2-7 the real property in the district, may adopt an order dividing the
2-8 district.
2-9 (e) An order dividing the district must:
2-10 (1) name each new district;
2-11 (2) include the metes and bounds description of the
2-12 territory of each new district;
2-13 (3) appoint temporary directors for each new district;
2-14 and
2-15 (4) provide for the division of assets and liabilities
2-16 between or among the new districts.
2-17 (f) On or before the 30th day after the date of adoption of
2-18 an order dividing the district, the district shall file the order
2-19 with the Texas Commission on Environmental Quality and record the
2-20 order in the real property records of each county in which the
2-21 district is located.
2-22 (g) Any new district created by the division of the district
2-23 shall hold a confirmation and directors' election as required by
2-24 Section 49.102, Water Code.
2-25 (h) Municipal consent to the creation of the district and to
2-26 the inclusion of land in the district granted under Section
2-27 8334.004 acts as municipal consent to the creation of any new
2-28 district under this section and the inclusion of land in the new
2-29 district.
2-30 (i) Any new district created by the division of the district
2-31 must hold an election as required by this chapter to obtain voter
2-32 approval before the district may impose a maintenance tax or issue
2-33 bonds payable wholly or partly from ad valorem taxes.
2-34 (j) If the creation of the new district is confirmed, the
2-35 new district shall provide the election date and results to the
2-36 Texas Commission on Environmental Quality.
2-37 SECTION 4. Sections 8334.003, 8334.103(b), and 8334.104,
2-38 Special District Local Laws Code, are repealed.
2-39 SECTION 5. The Harris County Municipal Utility District
2-40 No. 478 retains all the rights, powers, privileges, authority,
2-41 duties, and functions that it had before the effective date of this
2-42 Act.
2-43 SECTION 6. (a) The legislature validates and confirms all
2-44 governmental acts and proceedings of the Harris County Municipal
2-45 Utility District No. 478 that were taken before the effective date
2-46 of this Act.
2-47 (b) This section does not apply to any matter that on the
2-48 effective date of this Act:
2-49 (1) is involved in litigation if the litigation
2-50 ultimately results in the matter being held invalid by a final court
2-51 judgment; or
2-52 (2) has been held invalid by a final court judgment.
2-53 SECTION 7. (a) The legal notice of the intention to
2-54 introduce this Act, setting forth the general substance of this
2-55 Act, has been published as provided by law, and the notice and a
2-56 copy of this Act have been furnished to all persons, agencies,
2-57 officials, or entities to which they are required to be furnished
2-58 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-59 Government Code.
2-60 (b) The governor, one of the required recipients, has
2-61 submitted the notice and Act to the Texas Commission on
2-62 Environmental Quality.
2-63 (c) The Texas Commission on Environmental Quality has filed
2-64 its recommendations relating to this Act with the governor, the
2-65 lieutenant governor, and the speaker of the house of
2-66 representatives within the required time.
2-67 (d) All requirements of the constitution and laws of this
2-68 state and the rules and procedures of the legislature with respect
2-69 to the notice, introduction, and passage of this Act are fulfilled

3-1 and accomplished.

3-2 SECTION 8. This Act takes effect immediately if it receives
3-3 a vote of two-thirds of all the members elected to each house, as
3-4 provided by Section 39, Article III, Texas Constitution. If this
3-5 Act does not receive the vote necessary for immediate effect, this
3-6 Act takes effect September 1, 2019.

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