87R14045 SMT-F

By:  Bell of Montgomery H.B. No. 4639

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Conroe Municipal Management District No. 1, including the power to undertake and finance projects through taxes and bonds as a levee improvement district.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3998 to read as follows:

CHAPTER 3998. CONROE MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3998.0101.  DEFINITIONS. In this chapter:

(1)  "Board" means the district's board of directors.

(2)  "Commission" means the Texas Commission on Environmental Quality.

(3)  "Director" means a board member.

(4)  "District" means the Conroe Municipal Management District No. 1 created as a municipal management district by an order of the commission on April 21, 2015.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3998.0201.  COMPENSATION. A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.060, Water Code. Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3998.0301.  MUNICIPAL MANAGEMENT DISTRICT POWERS AND DUTIES. (a) The district has the powers and duties provided by the general law of this state, including Chapter 375, Local Government Code, and Chapters 49 and 54, Water Code, applicable to municipal management districts created under Section 59, Article XVI, and Sections 52 and 52-a, Article III, Texas Constitution.

(b)  The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3998.0302.  LEVEE IMPROVEMENT DISTRICT POWERS AND DUTIES. (a) The district has the powers and duties provided by the general law of this state, including Chapters 49 and 57, Water Code, applicable to levee improvement districts created under Section 59, Article XVI, Texas Constitution.

(b)  The district may:

(1)  reclaim land in the district; and

(2)  construct works, facilities, and improvements necessary to accomplish that purpose.

(c)  The district may finance and contract for the construction of a fill project or for the acquisition of land for a fill project in the district, including drainage and reclamation.

(d)  For the district's exercise of a power of or performance of a duty of a levee improvement district as provided by Subsection (c), the commission shall consider the district to be a levee improvement district.

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

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

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

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

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.