

By: West

S.B. No. 2192

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Lancaster Municipal Utility District No. 1 of Dallas County, Texas; providing authority to issue bonds and impose fees and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7934A to read as follows:

CHAPTER 7934A. LANCASTER MUNICIPAL UTILITY DISTRICT NO. 1 OF DALLAS COUNTY, TEXAS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7934A.0101. DEFINITION. In this chapter, "district" means the Lancaster Municipal Utility District No. 1 of Dallas County, Texas.

Sec. 7934A.0102. NATURE AND PURPOSES OF DISTRICT. The district is a municipal utility district in Dallas County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7934A.0201. DEFINED AREAS. (a) Notwithstanding the limitation on authorization based on acreage under Section 54.801(a), Water Code, the district may establish and administer defined areas as provided by Subchapter J, Chapter 54, Water Code.

(b) Under Section 52, Article III, Texas Constitution, the district may construct, acquire, improve, maintain, or operate in a

1 defined area established under this section:

2 (1) macadamized, graveled, or paved roads; or

3 (2) improvements, including storm drainage, in aid of
4 those roads.

5 (c) The district may issue bonds or other obligations as
6 provided by Chapters 49 and 53, Water Code, to finance the
7 construction, acquisition, improvement, maintenance, or operation
8 of projects under Subsection (b).

9 (d) The district may impose an ad valorem tax on real
10 property in a defined area to pay the principal of or interest on
11 bonds issued under Subsection (c) to finance projects benefiting
12 the defined area.

13 (e) The district may not issue bonds or other obligations
14 secured wholly or partly by ad valorem taxes to finance a project
15 authorized by Subsection (b) unless the issuance is approved by a
16 vote of a two-thirds majority of the voters of the defined area to
17 be benefited by the project as provided by Subchapter J, Chapter 54,
18 Water Code, voting at an election called for that purpose.

19 (f) At the time of issuance, the total principal amount of
20 bonds or other obligations issued or incurred to finance projects
21 authorized by Subsection (b) benefiting a defined area may not
22 exceed one-fourth of the assessed value of the real property in the
23 defined area.

24 Sec. 7934A.0202. LIMITATION ON USE OF EMINENT DOMAIN. The
25 district may not exercise the power of eminent domain outside the
26 district to acquire a site or easement for a road project authorized
27 by Section 7934A.0201.

1 SECTION 2. The Lancaster Municipal Utility District No. 1
2 of Dallas County, Texas, retains all the rights, powers,
3 privileges, authority, duties, and functions that it had before the
4 effective date of this Act.

5 SECTION 3. (a) The legislature validates and confirms all
6 governmental acts and proceedings of the Lancaster Municipal
7 Utility District No. 1 of Dallas County, Texas, that were taken
8 before the effective date of this Act.

9 (b) This section does not apply to any matter that on the
10 effective date of this Act:

11 (1) is involved in litigation if the litigation
12 ultimately results in the matter being held invalid by a final court
13 judgment; or

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

15 SECTION 4. (a) The legal notice of the intention to
16 introduce this Act, setting forth the general substance of this
17 Act, has been published as provided by law, and the notice and a
18 copy of this Act have been furnished to all persons, agencies,
19 officials, or entities to which they are required to be furnished
20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
21 Government Code.

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

25 (c) The Texas Commission on Environmental Quality has filed
26 its recommendations relating to this Act with the governor, the
27 lieutenant governor, and the speaker of the house of

1 representatives within the required time.

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

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2021.