By:  Wilson (Senate Sponsor - Schwertner) H.B. No. 5397

(In the Senate - Received from the House May 15, 2023; May 15, 2023, read first time and referred to Committee on Local Government; May 19, 2023, reported favorably by the following vote: Yeas 9, Nays 0; May 19, 2023, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Bettencourt       X

Springer          X

Eckhardt          X

Gutierrez         X

Hall              X

Nichols           X

Parker            X

Paxton            X

West              X

A BILL TO BE ENTITLED

AN ACT

relating to the name, powers, and duties of the 3 B&J Municipal Utility District.

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

SECTION 1.  The heading to Chapter 8221, Special District Local Laws Code, is amended to read as follows:

CHAPTER 8221. WILLIAMSON COUNTY [~~3 B&J~~] MUNICIPAL UTILITY DISTRICT NO. 51

SECTION 2.  Section 8221.001(3), Special District Local Laws Code, is amended to read as follows:

(3)  "District" means the Williamson County [~~3 B&J~~] Municipal Utility District No. 51.

SECTION 3.  Section 8221.202, Special District Local Laws Code, is amended to read as follows:

Sec. 8221.202.  TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued,[~~:~~

[~~(1)~~]  the board shall provide for the annual imposition of [~~impose~~] a continuing direct annual ad valorem tax, without limit to the rate or amount of the tax while all or part of the bonds are outstanding as provided by Sections 54.601 and 54.602, Water Code [~~at a rate not to exceed the rate approved at an election held under Section 8221.151, for each year that all or part of the bonds are outstanding; and~~

[~~(2)  the district annually shall impose an ad valorem tax on all taxable property in the district in an amount sufficient to:~~

[~~(A)  pay the interest on the bonds or other obligations as the interest becomes due;~~

[~~(B)  create a sinking fund for the payment of the principal of the bonds or other obligations when due or the redemption price at any earlier required redemption date; and~~

[~~(C)  pay the expenses of imposing the taxes~~].

SECTION 4.  Sections 8221.003(b), 8221.105, 8221.106, 8221.107, and 8221.108, Special District Local Laws Code, are repealed.

SECTION 5.  The Williamson County Municipal Utility District No. 51 retains all the rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

SECTION 6.  (a) The legislature validates and confirms all governmental acts and proceedings of the Williamson County Municipal Utility District No. 51 that were taken before the effective date of this Act.

(b)  The legislature validates and confirms all governmental acts and proceedings relating to the creation and the consent to the creation of the Williamson County Municipal Utility District No. 51.

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

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

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

SECTION 7.  (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 8.  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, 2023.

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