

1-1 By: Gates (Senate Sponsor - Huffman) H.B. No. 5661
1-2 (In the Senate - Received from the House May 8, 2025;
1-3 May 21, 2025, read first time and referred to Committee on Local
1-4 Government; May 22, 2025, reported favorably by the following
1-5 vote: Yeas 6, Nays 0, 1 present not voting; May 22, 2025, sent to
1-6 printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	Bettencourt	X		
1-10	Middleton			X
1-11	Cook	X		
1-12	Gutierrez	X		
1-13	Nichols	X		
1-14	Paxton	X		
1-15	West	X		

1-16 A BILL TO BE ENTITLED
1-17 AN ACT

1-18 relating to the creation of the Fort Bend County Municipal Utility
1-19 District No. 286; granting a limited power of eminent domain;
1-20 providing authority to issue bonds; providing authority to impose
1-21 assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-23 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-24 Code, is amended by adding Chapter 8017A to read as follows:

1-25 CHAPTER 8017A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT
1-26 NO. 286

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 8017A.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.

1-30 (2) "City" means the City of Rosenberg, Texas.

1-31 (3) "Commission" means the Texas Commission on
1-32 Environmental Quality.

1-33 (4) "Director" means a board member.

1-34 (5) "District" means the Fort Bend County Municipal
1-35 Utility District No. 286.

1-36 Sec. 8017A.0102. NATURE OF DISTRICT. The district is a
1-37 municipal utility district created under Section 59, Article XVI,
1-38 Texas Constitution.

1-39 Sec. 8017A.0103. CONFIRMATION AND DIRECTOR ELECTION
1-40 REQUIRED. The temporary directors shall hold an election to
1-41 confirm the creation of the district and to elect five permanent
1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 8017A.0104. CONSENT OF MUNICIPALITY AND DEVELOPMENT
1-44 AGREEMENT REQUIRED. (a) The temporary directors may not hold an
1-45 election under Section 8017A.0103 or to authorize the issuance of
1-46 bonds until:

1-47 (1) the governing body of the city by ordinance or
1-48 resolution consents to the creation of the district and to the
1-49 inclusion of land in the district; and

1-50 (2) the district, the city, and the owner or owners of
1-51 a majority of the assessed value of real property in the district
1-52 negotiate and execute a mutually approved and accepted development
1-53 agreement.

1-54 (b) The city's consent under Subsection (a) must be granted
1-55 in the manner provided by Section 54.016, Water Code, for including
1-56 land within the corporate limits or extraterritorial jurisdiction
1-57 of a city.

1-58 Sec. 8017A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-59 (a) The district is created to serve a public purpose and benefit.

1-60 (b) The district is created to accomplish the purposes of:

1-61 (1) a municipal utility district as provided by

general law and Section 59, Article XVI, Texas Constitution; and
 (2) Section 52, Article III, Texas Constitution, that
 relate to the construction, acquisition, improvement, operation,
 or maintenance of macadamized, graveled, or paved roads, or
 improvements, including storm drainage, in aid of those roads.

Sec. 8017A.0106. INITIAL DISTRICT TERRITORY. (a) The
 district is initially composed of the territory described by
 Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of
 the Act enacting this chapter form a closure. A mistake made in the
 field notes or in copying the field notes in the legislative process
 does not affect the district's:

- (1) organization, existence, or validity;
- (2) right to issue any type of bond for the purposes
 for which the district is created or to pay the principal of and
 interest on a bond;
- (3) right to impose a tax; or
- (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8017A.0201. GOVERNING BODY; TERMS. (a) The district
 is governed by a board of five elected directors.

(b) Except as provided by Section 8017A.0202, directors
 serve staggered four-year terms.

Sec. 8017A.0202. TEMPORARY DIRECTORS. (a) The temporary
 board consists of:

- (1) Mark Arce;
- (2) Houyshar Moarefi;
- (3) Neil Aussenberg;
- (4) Russell Chun; and
- (5) Kelsey Olsen.

(b) Temporary directors serve until the earlier of:
 (1) the date permanent directors are elected under
 Section 8017A.0103; or
 (2) the fourth anniversary of the effective date of
 the Act enacting this chapter.

(c) If permanent directors have not been elected under
 Section 8017A.0103 and the terms of the temporary directors have
 expired, successor temporary directors shall be appointed or
 reappointed as provided by Subsection (d) to serve terms that
 expire on the earlier of:

- (1) the date permanent directors are elected under
 Section 8017A.0103; or
- (2) the fourth anniversary of the date of the
 appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a
 majority of the assessed value of the real property in the district
 may submit a petition to the commission requesting that the
 commission appoint as successor temporary directors the five
 persons named in the petition. The commission shall appoint as
 successor temporary directors the five persons named in the
 petition.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8017A.0301. GENERAL POWERS AND DUTIES. The district
 has the powers and duties necessary to accomplish the purposes for
 which the district is created.

Sec. 8017A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 DUTIES. The district has the powers and duties provided by the
 general law of this state, including Section 52, Article III, Texas
 Constitution, and Chapters 49 and 54, Water Code, applicable to
 municipal utility districts created under Section 59, Article XVI,
 Texas Constitution.

Sec. 8017A.0303. AUTHORITY FOR ROAD PROJECTS. Under
 Section 52, Article III, Texas Constitution, the district may
 design, acquire, construct, finance, issue bonds for, improve,
 operate, maintain, and convey to this state, a county, or a
 municipality for operation and maintenance macadamized, graveled,
 or paved roads, or improvements, including storm drainage, in aid
 of those roads.

Sec. 8017A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A

road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 8017A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 8017A.0306. PUBLIC INFORMATION. (a) The district shall maintain an Internet website.

(b) The board shall make available on the district's Internet website the information required under Section 26.18, Tax Code.

Sec. 8017A.0307. DIVISION OF DISTRICT. This chapter applies to any new district created by the division of the district under Section 49.316, Water Code, and a new district has all the powers and duties of the district.

SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

Sec. 8017A.0401. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8017A.0402. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

SECTION 2. The Fort Bend County Municipal Utility District No. 286 initially includes all the territory contained in the following area:

Being a 97.5629 acres (4,249,840 square feet) of land situated in the H&TC RR CO Survey, A-208 of Fort Bend County, Texas and being all of Two (2) 48.650 acre tracts of land as described in on instrument to

Alexander E. Brodsky by Warranty Deed with Vendors Lien, recorded in Volume 598, Page 885 of the Deed Records of Fort Bend County, Texas (D.R.F.B.C.T.), said 97.5629 acre tract of land described by metes and bounds as follows:

COMMENCING of a 1/2 inch iron pipe found lying in the northeast line of a called 16.511 acre tract of land as described in an instrument to David Waddell Vogelsang Trust by General Warranty Deed recorded under Clerk's File Number (C.F.N.) 2012033682 of the Official Public Records of Fort Bend County, Texas (O.P.R. F.B.C.T), being the most westerly corner of a called 47.72 acre tract of land as described in an instrument to James White, recorded under C.F.N. 9715442 of the O.P.R.F.B.C.T. and the most southerly corner of called 80 acre tract of land as described in an instrument to Rhonda Rand Hill, as Trustee of The Rhonda Rand Hill Revocable Living Trust by Special Warranty Deed recorded under C.F.N. 2016036341 O.P.R. F.B.C.T.;

THENCE North 47° 46' 10" West, along and with the northeast line of said 16.511 acre tract, a called 50.11 acre tract of land as described in an instrument to Richard Lee Carney, recorded under C.F.N. 2017019399 of the O.P.R. F.B.C.T., a distance of 977.00 feet to a 5/8 inch iron rod with cap stamped "FULCRUM LAND SURVEYING", for the most northerly corner of said 50.11 acre tract of land, most

4-1 easterly corner of said 48.650 acre tract and POINT OF BEGINNING of
 4-2 the herein described tract;
 4-3 THENCE South 42° 11' 52" West, along and with the north line of said
 4-4 50.11 acre tract of land, a distance of 2635.73 feet to a PK-Nail
 4-5 set, being in the centerline of Blase Road, a Public Asphalt Road,
 4-6 for the most southerly corner of said 48.650 acre and herein
 4-7 described tract;
 4-8 THENCE North 47° 52' 22" West, along and with said Blase Road
 4-9 centerline, a distance of 1667.62 feet to a PK-Nail set, being the
 4-10 centerline intersection of said Blase Road and Zunker Road, a 60'
 4-11 Public asphalt Road, for the most westerly corner of said 48.650
 4-12 acre and herein described tract;
 4-13 THENCE North 42° 16' 26" East, along and with said Zunker Road
 4-14 centerline, a distance of 2320.07 feet to a PK-Nail set, for the
 4-15 most westerly corner of a called 3.293 acre tract of land as
 4-16 described in an Instrument to Randall R. Schmidt by General
 4-17 Warranty Deed with Vendors Lien recorded under C.F.N. 2001022111 of
 4-18 the O.P.R. F.B.C.T.;
 4-19 THENCE South 47° 46' 10" East, along and with the southwest line of
 4-20 said 3.293 acre tract of land, passing a 1/2 inch pipe found for a
 4-21 distance of 40.27 feet, being the apparent right of way line of
 4-22 Zunker Road, and continuing for a total distance of 450.29 feet to a
 4-23 1/2 inch pipe found, marking the most southerly corner of said 3.293
 4-24 acre tract of land;
 4-25 THENCE North 42° 13' 20" East, along and with the southeast line of
 4-26 said 3.293 acre tract of land, a distance of 318.67 feet to a 5/8
 4-27 inch iron rod with cap found, for the most easterly corner of said
 4-28 3.293 acre tract of land, being the southwest line of said 80 acre
 4-29 tract of land;
 4-30 THENCE South 47° 46' 10" East, along and with the southwest line of
 4-31 said 80 acre tract of land, a distance of 1214.11 feet to the POINT
 4-32 OF BEGINNING and containing a computed 97.5629 acres (4,249,840
 4-33 square feet) of land.
 4-34 Being a 79.5635 acres (3,465,787 square feet) of land situated in
 4-35 the H&TC RR CO Survey, A-208 of Fort Bend County, Texas and being
 4-36 all of a called 80 acre tract of land as described in an instrument
 4-37 to Rhonda Rand Hill, as Trustee of The Rhonda Rand Hill Revocable
 4-38 Living Trust, recorded under Clerks File Number (C.F.N.) 2016036341
 4-39 of the Official Public Records of Fort Bend County, Texas (O.P.R.
 4-40 F.B.C.T), said 79.5635 acre tract of land described by metes and
 4-41 bounds as follows:
 4-42 BEGINNING at a 1/2 inch iron pipe found lying in the northeast line
 4-43 of a called 16.511 acre tract of land as described in an instrument
 4-44 to Christian James Garcia, recorded under C.F.N. 2012033682 of the
 4-45 O.P.R. F.B.C.T., being the most easterly corner of a called 47.72
 4-46 acre tract of land as described in an instrument to James White,
 4-47 recorded under C.F.N. 9715442 of the O.P.R. F.B.C.T. and the most
 4-48 southerly corner of said 80 acre tract of land and herein described
 4-49 tract;
 4-50 THENCE North 47°46'10" West, along and with the northeast line of
 4-51 said 16.511 acre tract, a called 50.11 acre tract of land as
 4-52 described in an instrument to Richard Lee Carney, recorded under
 4-53 C.F.N. 2017019399 of the O.P.R. F.B.C.T., a called Two 48.650 acre
 4-54 tracts of land as described in an instrument to Alexander E.
 4-55 Brodsky, recorded in Volume 598, Page 885 of the Deed Records of
 4-56 Fort Bend County, Texas (D.R. F.B.C.T.), and a called 3.293 acre
 4-57 tract of land as described in an instrument to Randall R. Schmidt,
 4-58 recorded under C.F.N. 2001022111 of the O.P.R. F.B.C.T., passing a
 4-59 distance of 21291.12 feet for a 5/8 inch iron rod with cap found for
 4-60 the most easterly corner of said 3.293 acre tract of land, passing a
 4-61 distance of 2601.00 feet for a 5/8 inch iron rod with cap found
 4-62 being the apparent right of way line of Zunker Road, a 60' public
 4-63 asphalt road, for a total distance of 2641.12 feet to center of
 4-64 Zunker Road;
 4-65 THENCE North 42°13'20" East, along and with the center line of
 4-66 Zunker Road, a distance of 1315.06 feet to a 60-D Nail set for the
 4-67 most westerly corner of a called 2.471-acre tract of land as
 4-68 described in an instrument to Christian James Garcia, recorded
 4-69 under C.F.N. 202121913 of the O.P.R. F.B.C.T. and the most

northerly corner of said 80 acre tract of land and the herein described tract, being the centerline intersection of said Zunker Road and Twin Lane, a 60' public asphalt road; THENCE South 47°44'39" East, along and with the centerline of said Twin Lane and southwest line of said 2.471 acre tract of land, a called 3.552 acre tract of land as described in an instrument to Kenneth K. Sugawara Jr. and Laura J. Sugawara, recorded under C.F.N. 2005155829 of the O.P.R. F.B.C.T., a called 2.50 acre tract of land as described in an instrument to Guidroz Family Living Trust, recorded under C.F.N. 2009129064 of the O.P.R. F.B.C.T., a called 1.6273 acre tract of land as described in an instrument to Benjamin Castillo, recorded under C.F.N. 201709579 of the O.P.R. F.B.C.T., a called 2.17 acre tract of land as described in an instrument to James Respondek and wife, Anna Barbara Respondek, recorded under C.F.N. 79097662 of the O.P.R. F.B.C.T., a called 4.082 acre tract of land as described in an instrument to Bruce Conrad Stewart Jr. and Bonnie Marie Stewart, recorded under C.F.N. 2021194577 of the O.P.R. F.B.C.T., and a called 1.25 acre tract of land as described in an instrument to Cheyl Davis, recorded under C.F.N. 2019138340 of the O.P.R. F.B.C.T., passing a distance of 1831.47 feet for a Mag Nail found, marking the most northerly corner of said 1.25 acre tract of land, for a total distance of 2632.13 feet to a point, being in the northwest line said 47.72 acre tract of land and the most easterly corner of said 80 acre tract of land and herein described tract, from which a 5/8 inch iron rod found, bears South 47°42'09" East, a distance of 1.84 feet; THENCE South 41°49'49" West, along and with the northwest line of said 47.72-acre tract of land, a distance of 1313.93 feet to the POINT OF BEGINNING and containing a computed 79.5635 acres (3,465,787 square feet) of land.

SECTION 3. (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 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8017A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8017A.0308 to read as follows:

Sec. 8017A.0308. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. 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, 2025.

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