

Chapter 637

H.B. No. 4324

AN ACT

1
2 relating to the powers and duties of the Harris County Municipal
3 Utility District No. 61; providing authority to issue bonds and
4 impose fees and taxes.

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

6 SECTION 1. Subtitle F, Title 6, Special District Local Laws
7 Code, is amended by adding Chapter 8002 to read as follows:

8 CHAPTER 8002. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8002.001. DEFINITION. In this chapter, "district"
11 means the Harris County Municipal Utility District No. 61.

12 Sec. 8002.002. NATURE AND PURPOSES OF DISTRICT. (a) The
13 district is a municipal utility district created under Section 59,
14 Article XVI, Texas Constitution.

15 (b) The district is created to accomplish the purposes of:

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

18 (2) Section 52, Article III, Texas Constitution, that
19 relate to the construction, acquisition, improvement, operation,
20 or maintenance of macadamized, graveled, or paved roads, or
21 improvements, including storm drainage, in aid of those roads.

22 SUBCHAPTER B. POWERS AND DUTIES

23 Sec. 8002.051. GENERAL POWERS AND DUTIES. The district has
24 the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 8002.052. MUNICIPAL UTILITY DISTRICT POWERS AND
3 DUTIES. The district has the powers and duties provided by the
4 general law of this state, including Chapters 49 and 54, Water Code,
5 applicable to municipal utility districts created under Section 59,
6 Article XVI, Texas Constitution.

7 Sec. 8002.053. AUTHORITY FOR ROAD PROJECTS. Under Section
8 52, Article III, Texas Constitution, the district may design,
9 acquire, construct, finance, issue bonds for, improve, operate,
10 maintain, and convey to this state, a county, or a municipality for
11 operation and maintenance macadamized, graveled, or paved roads, or
12 improvements, including storm drainage, in aid of those roads.

13 Sec. 8002.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
14 project must meet all applicable construction standards, zoning and
15 subdivision requirements, and regulations of each municipality in
16 whose corporate limits or extraterritorial jurisdiction the road
17 project is located.

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

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

26 Sec. 8002.055. AUTHORITY TO ESTABLISH DEFINED AREAS.
27 Notwithstanding the acreage requirement under Section 54.801(a),

1 Water Code, the district may establish and administer defined areas
2 as provided by Subchapter J, Chapter 54, Water Code.

3 Sec. 8002.056. ADDITION OR EXCLUSION OF LAND IN DEFINED
4 AREA. The district may add or exclude land from the defined areas
5 in the same manner the district may add or exclude land from the
6 district.

7 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

8 Sec. 8002.101. AUTHORITY TO ISSUE BONDS AND OTHER
9 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
10 other obligations payable wholly or partly from ad valorem taxes,
11 impact fees, revenue, contract payments, grants, or other district
12 money, or any combination of those sources, to pay for a road
13 project authorized by Section 8002.053.

14 (b) The district may not issue bonds payable from ad valorem
15 taxes to finance a road project unless the issuance is approved by a
16 vote of a two-thirds majority of the district voters voting at an
17 election held for that purpose.

18 (c) At the time of issuance, the total principal amount of
19 bonds or other obligations issued or incurred to finance road
20 projects and payable from ad valorem taxes may not exceed
21 one-fourth of the assessed value of the real property in the
22 district.

23 Sec. 8002.102. TAXES FOR BONDS. At the time the district
24 issues bonds payable wholly or partly from ad valorem taxes, the
25 district shall provide for the annual imposition of a continuing
26 direct ad valorem tax, without limit as to rate or amount, while all
27 or part of the bonds are outstanding as required and in the manner

1 provided by Sections 54.601 and 54.602, Water Code.

2 SECTION 2. The Harris County Municipal Utility District
3 No. 61 retains all the rights, powers, privileges, authority,
4 duties, and functions that it had before the effective date of this
5 Act.

6 SECTION 3. (a) The legislature validates and confirms all
7 governmental acts and proceedings of the Harris County Municipal
8 Utility District No. 61 that were taken before the effective date of
9 this Act.

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

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

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

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

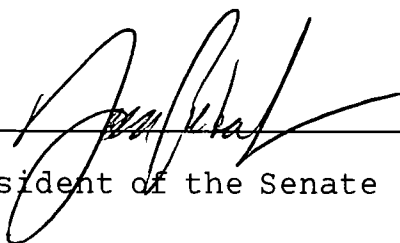
23 (b) The governor, one of the required recipients, has
24 submitted the notice and Act to the Texas Commission on
25 Environmental Quality.

26 (c) The Texas Commission on Environmental Quality has filed
27 its recommendations relating to this Act with the governor, the

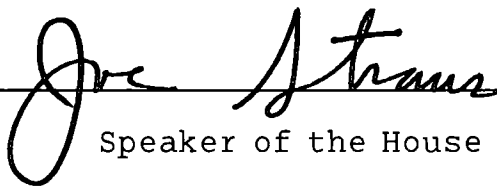
1 lieutenant governor, and the speaker of the house of
2 representatives within the required time.

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

7 SECTION 5. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2017.

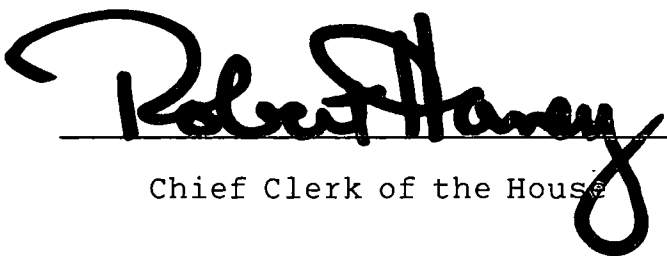


President of the Senate



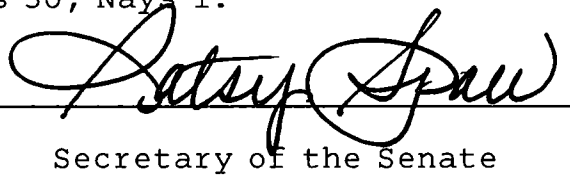
Speaker of the House

I certify that H.B. No. 4324 was passed by the House on May 19, 2017, by the following vote: Yeas 137, Nays 7, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 4324 was passed by the Senate on May 24, 2017, by the following vote: Yeas 30, Nays 1.




Secretary of the Senate

APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 PM O'CLOCK

JUN 12 2017


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 22, 2017

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Administration

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4324 by Schofield (Relating to the powers and duties of the Harris County Municipal Utility District No. 61; providing authority to issue bonds and impose fees and taxes.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code establishing the Harris County Municipal Utility District No. 61. The district would have authority for road projects. The district would have authority to issue bonds and other obligations.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, KK, JGA, GG, BM

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 26, 2017

TO: Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4324 by Schofield (Relating to the powers and duties of the Harris County Municipal Utility District No. 61; providing authority to issue bonds and impose fees and taxes.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code establishing the Harris County Municipal Utility District No. 61. The district would have authority for road projects. The district would have authority to issue bonds and other obligations.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

WATER DEVELOPMENT POLICY IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

April 24, 2017

TO: Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4324 by Schofield (Relating to the powers and duties of the Harris County Municipal Utility District No. 61; providing authority to issue bonds and impose fees and taxes.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ) has determined that:

No Water Development Policy Impact Statement will be prepared for this bill under the provisions of Texas Constitution, Article 16, Section 59(d) as this bill does not create a conservation and reclamation district.

Source Agencies: 582 Commission on Environmental Quality, 580 Water Development Board

LBB Staff: UP, SZ

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 24, 2017

The Honorable Joe Straus
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 4324, as Filed by Representative Mike Schofield - Relating to the powers and duties of the Harris County Municipal Utility District No. 61; providing authority to issue bonds and impose fees and taxes.

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

This bill codifies Harris County Municipal Utility District No. 61 (District) as Chapter 8002, Special District Local Laws Code, to specify the following; the District has the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54, with the following exceptions; the bill grants the District authority for road projects; notwithstanding the acreage requirement under Section 54.801(a), Water Code, the District may establish and administer defined areas as provided by Subchapter J, Chapter 54, Water Code; the District may add or exclude land from the defined areas in the same manner the District may add or exclude land from the District; and at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District.

Sincerely,

A handwritten signature in cursive script that reads "Cari-Michel LaCaille".

Cari-Michel LaCaille, Director
Water Supply Division

cc: Honorable Jim Murphy, Chairman, House Special Purpose Districts Committee
Representative Mike Schofield, Texas House of Representatives

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 4324

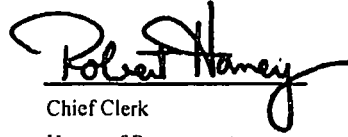
Bill Number

TO The Honorable Governor of Texas
SUBJECT A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas

4/18/2017

Date transmitted to
Governor's Office



Chief Clerk
House of Representatives

TO Texas Commission on Environmental Quality
SUBJECT A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill

April 27, 2017

Date transmitted to
Texas Commission on Environmental Quality



Governor

TO The Honorable Speaker of the House
The Honorable President of the Senate
The Honorable Governor of Texas
SUBJECT A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality



85R HB 04324

AFFIDAVIT OF PUBLICATION

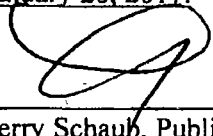
THE STATE OF TEXAS
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared Terry Schaub who being by me duly sworn, deposes and says that he is the Publisher of *The Katy Times* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published;
4. it has been published regularly and continuously since 1912; and
5. it is generally circulated within Harris, Fort Bend and Waller Counties.

Publisher further disposes and says that the attached Invoice notice was published in said newspaper on the following date(s) to wit:

January 26, 2017.



Terry Schaub, Publisher

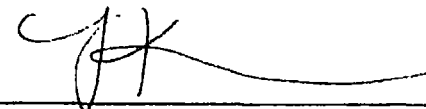
CLIPPINGS

NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS

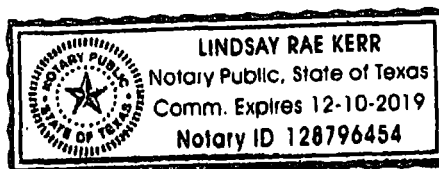
Notice is hereby given of the intention to introduce in the Regular Session of the 85th Legislature of Texas a bill relating to supplemental powers and authority of Harris County Municipal Utility District No. 61, including road powers pursuant to Article III, Section 52 of the Constitution of Texas and authority to establish defined areas within the District

SUBSCRIBED AND SWORN BEFORE
ME by Terry Schaub, who

X a) is personally known to me, or
b) provided the following evidence to establish his/her identity, Terry Schaub on this 26th day of January A.D. 2017, to certify which witness my hand and seal of office.



Lindsay R. Kerr
Notary Public, State of Texas



ty
nes

TUESDAY @ 2PM

katytimes.com/classifieds

NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS

Notice is hereby given of the intention to introduce in the Regular Session of the 85th Legislature of Texas a bill relating to supplemental powers and authority of Harris County Municipal Utility District No. 61, including road powers pursuant to Article III, Section 52 of the Constitution of Texas and authority to establish defined areas within the District.

NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS

Notice is hereby given of the intention to introduce in the Regular Session of the 85th Legislature of Texas a bill relating to the powers, authority, and governance of Grand Northwest Municipal Utility District located in Harris County.

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WWM

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dorseyblair11@gmail.com or
fax to (281) 392-2662

INVITATION TO BIDDERS

Sealed Bids in triplicate will be received by Fort Bend County M.U.D. No. 58 in the office of KGA/DeForest Design, L.L.C. (L.A. License No. 1387, Texas), 23501 Cinco Ranch Boulevard, Suite A-250, Katy, Texas, 77494 until 2:00 P.M. on February 10th, 2017 for "Cinco Ranch Northwest - Section 19 Landscape Improvements".