

Chapter 10

H.B. No. 1439

1 AN ACT

2 relating to providing road district powers to the Wood Trace
3 Municipal Utility District No. 3 of Montgomery County, Texas;
4 providing authority to issue bonds.

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 7965 to read as follows:

8 CHAPTER 7965. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 3 OF
9 MONTGOMERY COUNTY, TEXAS

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7965.001. DEFINITION. In this chapter, "district"
12 means the Wood Trace Municipal Utility District No. 3 of Montgomery
13 County, Texas.

14 Sec. 7965.002. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
15 The district is created to serve a public purpose and benefit.

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

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

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

23 SUBCHAPTER B. POWERS AND DUTIES

24 Sec. 7965.101. AUTHORITY FOR ROAD PROJECTS. Under Section

1 52, Article III, Texas Constitution, the district may design,
2 acquire, construct, finance, issue bonds for, improve, operate,
3 maintain, and convey to this state, a county, or a municipality for
4 operation and maintenance macadamized, graveled, or paved roads, or
5 improvements, including storm drainage, in aid of those roads.

6 Sec. 7965.102. ROAD STANDARDS AND REQUIREMENTS. (a) A road
7 project must meet all applicable construction standards, zoning and
8 subdivision requirements, and regulations of each municipality in
9 whose corporate limits or extraterritorial jurisdiction the road
10 project is located.

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

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

19 SUBCHAPTER C. BONDS

20 Sec. 7965.201. BONDS FOR ROAD PROJECTS. At the time of
21 issuance, the total principal amount of bonds or other obligations
22 issued or incurred to finance road projects and payable from ad
23 valorem taxes may not exceed one-fourth of the assessed value of the
24 real property in the district.

25 SECTION 2. (a) The legal notice of the intention to
26 introduce this Act, setting forth the general substance of this
27 Act, has been published as provided by law, and the notice and a

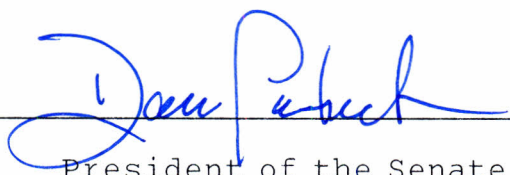
1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

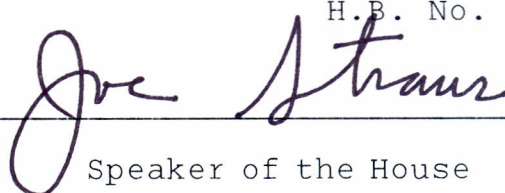
5 (b) The governor, one of the required recipients, has
6 submitted the notice and Act to the Texas Commission on
7 Environmental Quality.

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

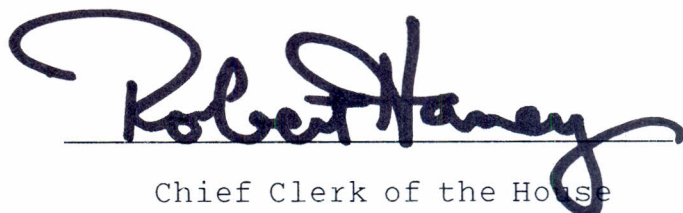
12 (d) All requirements of the constitution and laws of this
13 state and the rules and procedures of the legislature with respect
14 to the notice, introduction, and passage of this Act are fulfilled
15 and accomplished.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2017.

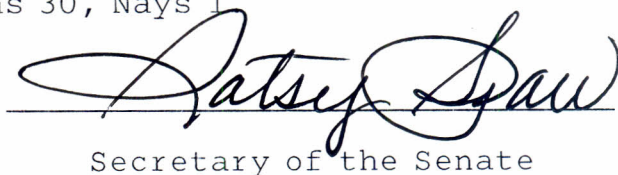

President of the Senate


Speaker of the House

I certify that H.B. No. 1439 was passed by the House on April 27, 2017, by the following vote: Yeas 143, Nays 1, 3 present, not voting.


Chief Clerk of the House

I certify that H.B. No. 1439 was passed by the Senate on May 4, 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
4 PM O'CLOCK

MAY 18 2017


Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 2, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1439 by Bell (Relating to providing road district powers to the Wood Trace Municipal Utility District No. 3 of Montgomery County, Texas; providing authority to issue bonds.),
As Engrossed

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws adding the Wood Trace Municipal Utility District No.3 of Montgomery County. The district would have authority for road projects including the issuance of bonds.

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

Local Government Impact

According to Montgomery County no fiscal impact is anticipated from the provisions of the bill.

Source Agencies:

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

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 21, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1439 by Bell (Relating to providing road district powers to the Wood Trace Municipal Utility District No. 3 of Montgomery County, Texas; providing authority to issue bonds.),
As Introduced

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws adding the Wood Trace Municipal Utility District No.3 of Montgomery County. The district would have authority for road projects including the issuance of bonds.

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

Local Government Impact

According to Montgomery County no fiscal impact is anticipated from the provisions of the bill.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

WATER DEVELOPMENT POLICY IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

March 22, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1439 by Bell (Relating to providing road district powers to the Wood Trace Municipal Utility District No. 3 of Montgomery County, Texas; providing authority to issue bonds.),
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

March 21, 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) 1439, as Filed by Representative Cecil Bell - Relating to providing road district powers to the Wood Trace Municipal Utility District No. 3 of Montgomery County, Texas; providing authority to issue bonds.

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 amends the Special District Local Laws Code by adding Chapter 7965 relating to the Wood Trace Municipal Utility District No. 3 (District). This bill also: grants the District road powers; and specifies that 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 black ink, appearing to read "Cari-Michel LaCaille".

Cari-Michel LaCaille, Director
Water Supply Division

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

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 1439


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.

2/15/2017

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.


February 22, 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 01439

**PUBLISHER'S AFFIDAVIT
STATE OF TEXAS
COUNTY OF MONTGOMERY**

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MONTE WEST WHO BEING BY ME DULY SWORN, DEPOSES AND SAYS THAT HE IS AN AGENT TO THE PUBLISHER OF THE MONTGOMERY COUNTY NEWS, THAT SAID NEWSPAPER IS REGULARLY PUBLISHED IN MONTGOMERY COUNTY, TEXAS, AND GENERALLY CIRCULATED IN MONTGOMERY COUNTY, TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING DAYS:

28th DAY(S) OF December, 2016.

Case/Cause# LEGAL NOTICE FOR M.C. WOODTRACE MUD# 3

Monte West
PUBLISHER/PUBLISHER'S REPRESENTATIVE, MONTE WEST

NOTARY:



MY COMMISSION EXPIRES: 01-02-2019

AFFIX NOTARY SEAL ABOVE:

SWORN AND SUBSCRIBED TO ME ON THIS THE 28th DAY OF December, 2016, TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE.

Merrily Thompson
NOTARY PUBLIC SIGNATURE IN AND FOR THE STATE OF TEXAS

MERRILY THOMPSON
PRINTED OR TYPED NAME OF NOTARY PUBLIC

LEGAL

LEGAL

LEGAL

LEGAL

LEGAL

LEGAL

**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 and duties of Montgomery County Municipal Utility District No. 130. The general substance of the law is as follows: AN ACT relating to the powers and duties of Montgomery County Municipal Utility District No. 130; containing other provisions related to the subject; and finding that notice of the introduction of the bill has been given.

Published Date: December 28, 2016

**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 and duties of Montgomery County Municipal Utility District No. 131. The general substance of the law is as follows: AN ACT relating to the powers and duties of Montgomery County Municipal Utility District No. 131; containing other provisions related to the subject; and finding that notice of the introduction of the bill has been given.

Published Date: December 28, 2016

**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 creating and establishing a special district consisting of approximately 1,121 acres and located within the following surveys: Edward Taylor Survey, Abstract No. 554; Charles Frazier Survey, Abstract No. 206; Andrew J. Hensley Survey, Abstract No. 255 Azariah Prather Survey, Abstract No. 427; and the Leander Westcott Survey, Abstract No. 616; and partially within the extraterritorial jurisdiction of the City of Magnolia, Montgomery County, Texas, to be known as Montgomery County Municipal Utility District No. 154, under the provisions of Article 16, Section 59 of the Constitution of Texas and pursuant to the inherent power of the Legislature to create special government agencies and districts, with powers including those given to municipal utility districts operating pursuant to Chapters 49 and 54, Texas Water Code, and including road powers under Article III, Section 52 of the Constitution of Texas. The bill will provide for the district's administration, powers, name, duties, operation, and financing. If you would like a copy of the full legal description of the property to be included in the district, please call Julie Kime at (713) 623-4531.

Published Date: December 28, 2016

**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 and duties of Wood Trace Municipal Utility District No. 3, of Montgomery County, Texas. The general substance of the law is as follows: AN ACT relating to the powers and duties of Wood Trace Municipal Utility District No. 3, of Montgomery County, Texas; containing other provisions related to the subject; and finding that notice of the introduction of the bill has been given.

Published Date: December 28, 2016

**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 and duties of Wood Trace Municipal Utility District No. 1, of Montgomery County, Texas. The general substance of the law is as follows: AN ACT relating to the powers and duties of Wood Trace Municipal Utility District No. 1, of Montgomery County, Texas; containing other provisions related to the subject; and finding that notice of the introduction of the bill has been given.

Published Date: December 28, 2016

NOTICE TO CREDITORS

Notice is hereby given that Original Letters Test of JUANDEAN RUCKER, Deceased; In the county court Deceased, were issued on November 29, 2016.

GARY LYNN RUCKER

The residence address of the administrator is in address is:

c/o Weston Cott
5223 Garth Rd
Baytown, TX 77528

All persons having claims against this Estate are required to present them within the time and in the manner:

Dated this the 22nd day of December, 2016

by: /s/ Gary Lynn Rucker
Attorney

**CITATION BY PUBLICATION
THE STATE OF TEXAS**

TO: The unknown heirs of the ESTATE OF: Muriel Mueller

GREETING:

You are commanded to appear and answer the plaintiff's petition at 10:00 A.M. of the first Monday after the expiration of Ten (10) days of this Citation, before the Honorable County Court at the Courthouse in Conroe, Texas.

Said Plaintiff's Petition was filed on December 13, 2016.

The file number of said suit being Number 16-34698-2016.

The Names of the parties in said suit are:
JOSEPH "JR" ROBERT MUELLER

Applicant to determine heirship of the Estate of MURIEL MUELLER and

The Unknown heirs of the estate of MURIEL MUELLER

The nature of said suit being substantially as follows:
APPLICATION FOR LETTERS OF ADMINISTRATION
GIVEN under my hand and seal of said Court, at office on December, 2016.
(SEAL County Court at Law)

MAR 2017
/s/ Eloisa Salinas, Deputy Clerk
Published Date

**For \$45 re
subscript
Montgomery
News for
Mailed dir
your Ho
Email
news@montgomeryc
or call 936-449-N**