

Chapter 619

H.B. No. 4270

AN ACT

1
2 relating to the Anthem Municipal Utility District; providing
3 authority to issue bonds; providing authority to impose
4 assessments, 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 7979 to read as follows:

CHAPTER 7979. ANTHEM MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

8
9
10 Sec. 7979.001. DEFINITIONS. In this chapter:

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

12 (2) "Commission" means the Texas Commission on
13 Environmental Quality.

14 (3) "Director" means a board member.

15 (4) "District" means the Anthem Municipal Utility
16 District.

17 Sec. 7979.002. NATURE OF DISTRICT. The district is a
18 municipal utility district created under Section 59, Article XVI,
19 Texas Constitution.

20 Sec. 7979.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
21 The district is created to serve a public purpose and benefit.

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

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

1 (2) Section 52, Article III, Texas Constitution, that
2 relate to the construction, acquisition, improvement, operation,
3 or maintenance of macadamized, graveled, or paved roads, or
4 improvements, including storm drainage and landscaping, in aid of
5 those roads.

6 SUBCHAPTER B. POWERS AND DUTIES

7 Sec. 7979.051. GENERAL POWERS AND DUTIES. The district has
8 the powers and duties necessary to accomplish the purposes for
9 which the district is created.

10 Sec. 7979.052. MUNICIPAL UTILITY DISTRICT POWERS AND
11 DUTIES. The district has the powers and duties provided by the
12 general law of this state, including Chapters 49 and 54, Water Code,
13 applicable to municipal utility districts created under Section 59,
14 Article XVI, Texas Constitution.

15 Sec. 7979.053. AUTHORITY FOR ROAD PROJECTS. Under Section
16 52, Article III, Texas Constitution, the district may design,
17 acquire, construct, finance, issue bonds for, improve, operate,
18 maintain, and convey to this state, a county, or a municipality for
19 operation and maintenance macadamized, graveled, or paved roads, or
20 improvements, including storm drainage and landscaping, in aid of
21 those roads.

22 Sec. 7979.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
23 project must meet all applicable construction standards, zoning and
24 subdivision requirements, and regulations of each municipality in
25 whose corporate limits or extraterritorial jurisdiction the road
26 project is located.

27 (b) If a road project is not located in the corporate limits

1 or extraterritorial jurisdiction of a municipality, the road
2 project must meet all applicable construction standards,
3 subdivision requirements, and regulations of each county in which
4 the road project is located.

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

8 Sec. 7979.055. STRATEGIC PARTNERSHIP AGREEMENT. The
9 district may negotiate and enter into a written strategic
10 partnership agreement with:

11 (1) a municipality under Section 43.0751, Local
12 Government Code; and

13 (2) a municipality that provides water and wastewater
14 services to the district.

15 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

16 Sec. 7979.101. ELECTIONS REGARDING TAXES OR BONDS. (a) The
17 district may issue, without an election, bonds and other
18 obligations secured by:

19 (1) revenue other than ad valorem taxes; or

20 (2) contract payments described by Section 7979.103.

21 (b) The district must hold an election in the manner
22 provided by Chapters 49 and 54, Water Code, to obtain voter approval
23 before the district may impose an ad valorem tax or issue bonds
24 payable from ad valorem taxes.

25 (c) The district may not issue bonds payable from ad valorem
26 taxes to finance a road project unless the issuance is approved by a
27 vote of a two-thirds majority of the district voters voting at an

1 election held for that purpose.

2 Sec. 7979.102. OPERATION AND MAINTENANCE TAX. (a) If
3 authorized at an election held under Section 7979.101, the district
4 may impose an operation and maintenance tax on taxable property in
5 the district in accordance with Section 49.107, Water Code.

6 (b) The board shall determine the tax rate. The rate may not
7 exceed the rate approved at the election.

8 Sec. 7979.103. CONTRACT TAXES. (a) In accordance with
9 Section 49.108, Water Code, the district may impose a tax other than
10 an operation and maintenance tax and use the revenue derived from
11 the tax to make payments under a contract after the provisions of
12 the contract have been approved by a majority of the district voters
13 voting at an election held for that purpose.

14 (b) A contract approved by the district voters may contain a
15 provision stating that the contract may be modified or amended by
16 the board without further voter approval.

17 SUBCHAPTER D. ASSESSMENTS; APPLICABILITY OF IMPACT FEES AND
18 ASSESSMENTS

19 Sec. 7979.151. PETITION REQUIRED FOR FINANCING
20 RECREATIONAL FACILITIES, IMPROVEMENTS, AND SERVICES WITH
21 ASSESSMENTS. (a) The board may finance the construction or
22 maintenance of a recreational facility or improvement or finance
23 the provision of a recreational service with assessments on
24 commercial or residential property, or both, under this subchapter,
25 but only if:

26 (1) a written petition requesting that facility,
27 improvement, or service has been filed with the board; and

1 (2) the board holds a hearing on the proposed
2 assessments.

3 (b) The petition must be signed by the owners of a majority
4 of the assessed value of real property in the district subject to
5 assessment according to the most recent certified tax appraisal
6 roll for the county.

7 Sec. 7979.152. METHOD OF NOTICE FOR HEARING. The district
8 shall mail notice of the hearing to each property owner in the
9 district who will be subject to the assessment at the current
10 address to be assessed as reflected on the tax rolls. The district
11 may mail the notice by certified or first class United States mail.
12 The board shall determine the method of notice.

13 Sec. 7979.153. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) An
14 assessment or a reassessment imposed under this subchapter by the
15 district, penalties and interest on an assessment or reassessment,
16 an expense of collection, and reasonable attorney's fees incurred
17 by the district:

18 (1) are a first and prior lien against the property
19 assessed;

20 (2) are superior to any other lien or claim other than
21 a lien or claim for county, school district, or municipal ad valorem
22 taxes; and

23 (3) are the personal liability of and a charge against
24 the owners of the property even if the owners are not named in the
25 assessment proceedings.

26 (b) The lien is effective from the date of the board's
27 resolution imposing the assessment until the date the assessment is

1 paid. The board may enforce the lien in the same manner that the
2 board may enforce an ad valorem tax lien against real property.

3 (c) The board may make a correction to or deletion from the
4 assessment roll that does not increase the amount of assessment of
5 any parcel of land without providing notice and holding a hearing in
6 the manner required for additional assessments.

7 Sec. 7979.154. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
8 ASSESSMENTS. The district may not impose an impact fee or
9 assessment on the property, including the equipment,
10 rights-of-way, facilities, or improvements, of:

11 (1) an electric utility or a power generation company
12 as defined by Section 31.002, Utilities Code;

13 (2) a gas utility as defined by Section 101.003 or
14 121.001, Utilities Code;

15 (3) a telecommunications provider as defined by
16 Section 51.002, Utilities Code; or

17 (4) a person who provides to the public cable
18 television or advanced telecommunications services.

19 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

20 Sec. 7979.201. AUTHORITY TO ISSUE BONDS AND OTHER
21 OBLIGATIONS. The district may issue bonds or other obligations
22 payable wholly or partly from ad valorem taxes, impact fees,
23 revenue, contract payments, grants, or other district money, or any
24 combination of those sources, to pay for any authorized district
25 purpose.

26 Sec. 7979.202. TAXES FOR BONDS. At the time the district
27 issues bonds payable wholly or partly from ad valorem taxes, the

1 board shall provide for the annual imposition of a continuing
2 direct ad valorem tax, without limit as to rate or amount, while all
3 or part of the bonds are outstanding as required and in the manner
4 provided by Sections 54.601 and 54.602, Water Code.

5 Sec. 7979.203. BONDS FOR ROAD PROJECTS. At the time of
6 issuance, the total principal amount of bonds or other obligations
7 issued or incurred to finance road projects and payable from ad
8 valorem taxes may not exceed one-fourth of the assessed value of the
9 real property in the district.

10 SECTION 2. (a) All governmental and proprietary actions
11 and proceedings of the Anthem Municipal Utility District taken
12 before the effective date of this Act are validated, ratified, and
13 confirmed in all respects as of the dates on which they occurred.

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

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

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

20 SECTION 3. (a) The legal notice of the intention to
21 introduce this Act, setting forth the general substance of this
22 Act, has been published as provided by law, and the notice and a
23 copy of this Act have been furnished to all persons, agencies,
24 officials, or entities to which they are required to be furnished
25 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
26 Government Code.

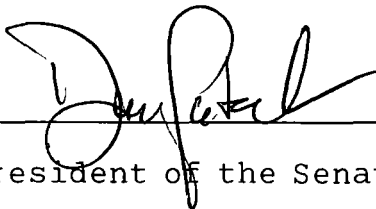
27 (b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on
2 Environmental Quality.

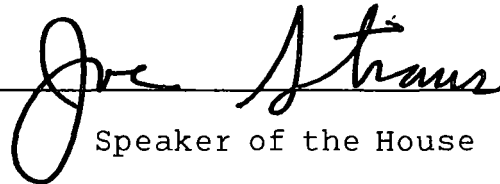
3 (c) The Texas Commission on Environmental Quality has filed
4 its recommendations relating to this Act with the governor, the
5 lieutenant governor, and the speaker of the house of
6 representatives within the required time.

7 (d) All requirements of the constitution and laws of this
8 state and the rules and procedures of the legislature with respect
9 to the notice, introduction, and passage of this Act are fulfilled
10 and accomplished.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2017.

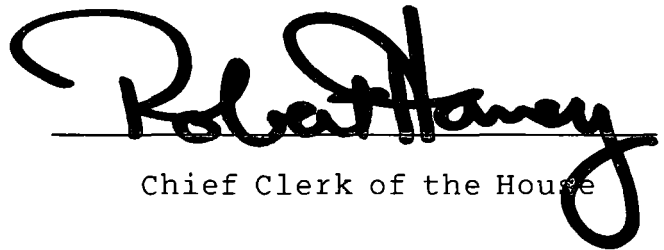


President of the Senate



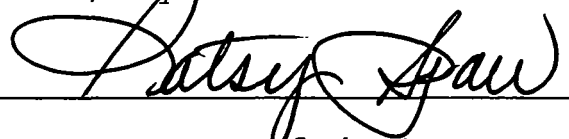
Speaker of the House

I certify that H.B. No. 4270 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. 4270 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



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: **HB4270** by Isaac (Relating to the Anthem Municipal Utility District; providing authority to issue bonds; providing authority to impose assessments, 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 Anthem Municipal Utility District. The district would have authority for road projects. The district would have authority to issue bonds and other obligations, without an election. The district would have authority to impose an operation and maintenance tax and a contract tax.

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

May 5, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4270 by Isaac (Relating to the Anthem Municipal Utility District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

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

Source Agencies:

LBB Staff: UP, 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: HB4270 by Isaac (Relating to the Anthem Municipal Utility District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Introduced**

No fiscal implication to the State is anticipated.

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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

May 5, 2017

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4270 by Isaac (Relating to the Anthem Municipal Utility District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **Committee Report 1st House, Substituted**

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

**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: HB4270 by Isaac (Relating to the Anthem Municipal Utility District; providing authority to issue bonds; providing authority to impose assessments, 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

THE STATE OF TEXAS }
County of Hays: }

Before me, the undersigned, holding the office of Notary Public in and

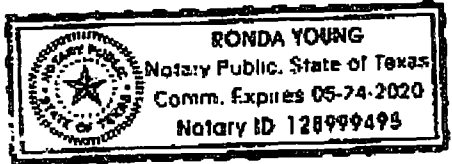
for Hays County, Texas, personally appeared Don Moore,
who states under oath that he is the publisher of the San Marcos Daily Record, a newspaper which has been
regularly and continuously published in San Marcos, Hays County, Texas, for a period of more than one
year immediately preceding the date of publication of this notice and that the Notice by Publication hereto
attached was published in the regular edition of said newspaper for a period of 1 day

on the following dates
January 18, 20 17, _____, 20 _____
_____, 20 _____, _____, 20 _____
_____, 20 _____, _____, 20 _____
_____, 20 _____, a printed clipping of said notice being hereto attached.

The said publisher states that the rate charged for this publication is the lowest rate charged
commercial advertising for the same class of advertising for a like amount of space.

(Signed) _____
Publisher

Subscribed and sworn to before me this 18th day of January, 2017



Ronda Young

Ronda Young



Your three line ad runs
Thursday, Friday & Sunday
in the **San Marcos Daily
Record**. Call for details!

Place a c

Call 512-392-2458
or email to:
ryoung@sanmarco
pgravis@sanmarco
Hours are 8:00 am -

View the Classifieds Online at: www.sanmarcosrecord.com

Public
Notice

Public
Notice

Legal
Notice

Legal
Notice

General
Wanted

NOTICE OF INTENT TO INTRODUCE NOTICE

This is to give notice of intent to introduce in the 85th Legislature, Regular Session, a bill to be entitled an Act relating to Anthem Municipal Utility District, which bill shall pertain to the to the administration, powers, additional powers, duties, operation and financing of the Anthem Municipal Utility District of Hays County, a Conservation and Reclamation District to be Created Under Article XVI, Section 59 of the Texas Constitution created to Acquire, Construct, Finance, and Operate Water, Sewer, Drainage, and Road improvements serving the following respective tracts of land:

A DESCRIPTION OF A 599.25 ACRE TRACT OR PARCEL OF LAND WHICH COMPRISES PART OF THE ANDREW DUNN LEAGUE SURVEY, ABSTRACT NO. 4 AND PART OF THE JOHN COOPER SURVEY NO. 13, ABSTRACT NO. 100, BOTH SITUATED IN HAYS COUNTY, TEXAS; BEING PART OF THAT CERTAIN 578.23 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN A CONVEYANCE TO MARY LOUISE NANCE FOUND OF RECORD IN VOLUME 128, PAGE 545 ET SEQ. OF THE DEED RECORDS OF SAID COUNTY AND PART OF THAT CERTAIN 130.17 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN VOLUME 120, PAGE 393 ET SEQ. OF THE SAID DEED RECORDS, BEING THOSE CERTAIN TRACTS DESCRIBED IN A QUITCLAIM DEED DATED JUNE 15, 2008, RECORDED IN VOLUME 2974, PAGE 814 ET SEQ. OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, AND COMPRISING PART OF THAT CERTAIN 594.96 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN VOLUME 4003, PAGE 266 ET SEQ. OF THE SAID OFFICIAL PUBLIC RECORDS AND FURTHER BEING

Application has been made with the Texas Alcoholic Beverage Commission for a Restaurant Mixed Beverage License by Gumby's Pizza and Wings, to be located at 312 W. Hopkins, San Marcos, Hays, Texas. Officers of said corporation Forrest Higdon, President and John Higdon, Member



CDL DR
End/bell
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every night
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JOB OPPORTUNITIES A CUT ABOVE

General Help
Wanted

General Help
Wanted

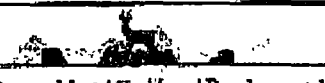


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Excellent benefits!
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General Help
Wanted

General Help
Wanted



Hill Country Mental Health and Developmental
Disabilities Centers Hiring

PART OF THAT CERTAIN 77.874 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN A CONVEYANCE FROM CREDIT BANK OF TEXAS TO CHARLES G. MISENHEIMER AND WIFE, ELIZABETH C. MISENHEIMER, FOUND OF RECORD IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED NOVEMBER 25, 1992, RECORDED IN VOLUME 980, PAGE 542 ET SEQ. OF THE DEED RECORDS OF SAID COUNTY.

AND

FIELD NOTE DESCRIPTION OF 73.693 ACRES OF LAND OUT OF THE JOHN COOPER SURVEY No. 13 ABSTRACT No. 100 AND THE JESSE DAY SURVEY ABSTRACT No. 152 IN HAYS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (77.874 ACRE) TRACT OF LAND AS CONVEYED TO CHARLES G. MISENHEIMER AND ELIZABETH C. MISENHEIMER BY SPECIAL WARRANTY DEED RECORDED IN VOLUME 980 PAGE 542 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

Public Notice

Public Notice

PUBLIC NOTICE

Notice of Initiation of the Section 108 Process - Public Participation in accordance with the FCC's Nationwide Programmatic Agreement. Mobilite proposes to construct three approximately 120 ft. monopoles at Lat: 29.870238 N, Long: -97.936427 W, approximately .04 mi S of Luciano Flores Blvd and Interstate 35 & Lat: 29.890294 N, Long: -97.948221 W, approximately .03 mi W of W Sessom Dr and N Comanche St & Lat: 29.898486 N, Long: -97.964289 W, approximately .03 mi NE of Craddock Ave and Old Ranch Rd 12, San Marcos, Hays County, Texas 78666. Parties interested in details regarding the telecommunication towers or in providing comment on the proposed undertaking relative to potential effects on historic properties should contact GSS, Inc., 1904 Industrial Blvd. #107, Colleyville, TX 78034 (862) 651-0034 (GSS D16182-TX-10 & D16182-TX-13 & D16182-TX-14).

Did You Know?
You can now view the Legals and Public Notices online at www.sanmarcosrecord.com

Mobile Crisis Team Lead - Central Mental Health Clinic

Seeking Licensed Mental Health Professional to highly responsive crisis services on a 24 hour on-call basis. As a Team Lead you will be responsible for supervising MCOT staff, working closely with MCH clinic staff, law enforcement, other agencies and community organizations, school districts and the general public. Must be able to work on call - schedule.

Competitive Pay; Excellent Benefits

To learn more about this position and other visit us

online at www.hillcountry.org

Hill Country is an EEO Employer.

General Help Wanted

General Help Wanted

Hill Country Mental Health and Developmental Disabilities Centers Hiring

Immediate Opportunities - Crisis Workers

Immediate Opportunities - Crisis Workers

HCMHDD Centers seeking qualified staff for their

Crisis Team at the Central Mental Health Clinic and

Scheidt Mental Health Clinic. Both Positions are

Full-Time and require ability to work a rotating

crisis call schedule. Must possess a degree in the

Human Service Field or Related field. Crisis

experience (Preferred)

Competitive Salary w/ Excellent Benefits

Apply online at www.hillcountry.org

HCMHDD Centers is an EOE.

General Help Wanted

General Help Wanted

Hill Country Mental Health and Developmental Disabilities Centers Hiring

Director, Youth Crisis Respite Center

Expanding non-profit provider of Behavioral

Health Services seeking qualified candidate to fill

the position of Director of their Youth Crisis

Respite Center Position located at 614 North

Bishop St. San Marcos, TX. Seeking an

exceptional person who possesses desire to serve

adolescents in a small, short term residential

setting. Responsibilities include: program

development, community collaborations,

contracted program sustainability, daily operations,

staff oversight and clinical programming

implementation. Must possess a Master's Degree

in the Human Services Field w/ a clinical license

(LCSW, LPC, PhD or PsyD in Texas). Three years

in the Behavioral Health Field Required.

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