Chapter 929

H.B. No. 4629

1	AN ACT
2	relating to the powers and duties of Montgomery County Municipal
3	Utility District No. 101.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Subchapter C, Chapter 8120, Special District
6	Local Laws Code, is amended by adding Section 8120.106 to read as
7	follows:
8	Sec. 8120.106. DIVISION OF DISTRICT. (a) The district may
9	be divided into two or more new districts only if the district:
10	(1) has no outstanding bonded debt; and
11	(2) is not imposing ad valorem taxes.
12	(b) This chapter applies to any new district created by the
13	division of the district, and a new district has all the powers and
14	duties of the district.
15	(c) Any new district created by the division of the district
16	may not, at the time the new district is created, contain any land
17	outside the area described by Section 2 of the Act enacting this
18	chapter.
19	(d) The board, on its own motion or on receipt of a petition
20	signed by the owner or owners of a majority of the assessed value of
21	the real property in the district, may adopt an order dividing the
22	district.
23	(e) The board may adopt an order dividing the district
24	before or after the date the board holds an election under Section

- 1 8120.023 to confirm the district's creation.
- 2 (f) An order dividing the district must:
- 3 (1) name each new district;
- 4 (2) include the metes and bounds description of the
- 5 <u>territory of each new district;</u>
- 6 (3) appoint temporary directors for each new district;
- 7 and
- 8 (4) provide for the division of assets and liabilities
- 9 between or among the new districts.
- 10 (g) On or before the 30th day after the date of adoption of
- 11 an order dividing the district, the district shall file the order
- 12 with the commission and record the order in the real property
- 13 records of each county in which the district is located.
- 14 (h) Any new district created by the division of the district
- 15 shall hold a confirmation and directors' election as required by
- 16 Section 8120.023.
- 17 (i) Municipal consent to the creation of the district and to
- 18 the inclusion of land in the district acts as municipal consent to
- 19 the creation of any new district created by the division of the
- 20 district and to the inclusion of land in the new district.
- 21 (j) Any new district created by the division of the district
- 22 must hold an election as required by law to obtain voter approval
- 23 before the district may impose a maintenance tax or issue bonds
- 24 payable wholly or partly from ad valorem taxes.
- 25 (k) If the creation of the new district is confirmed, the
- 26 new district shall provide the election date and results to the
- 27 commission.

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- 1 SECTION 2. This Act takes effect immediately if it receives
- 2 a vote of two-thirds of all the members elected to each house, as
- 3 provided by Section 39, Article III, Texas Constitution. If this
- 4 Act does not receive the vote necessary for immediate effect, this
- 5 Act takes effect September 1, 2019.

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President of the Senate

Speaker of the House

I certify that H.B. No. 4629 was passed by the House on April 26, 2019, by the following vote: Yeas 126, Nays 13, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4629 was passed by the Senate on May 22, 2019, by the following vote: Yeas 30, Nays 1.

Date

Meg Ahbott

FILED IN THE OFFICE OF THE SECRETARY OF STATE 1:00 O'CLOCK

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