

AN ACT

relating to the powers of the Galveston County Municipal Utility District No. 51, including powers related to the construction, maintenance, operation, and financing of roads or turnpikes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8130 to read as follows:

CHAPTER 8130. GALVESTON COUNTY MUNICIPAL UTILITY

DISTRICT NO. 51

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8130.001. DEFINITION. In this chapter, "district" means the Galveston County Municipal Utility District No. 51.

Sec. 8130.002. NATURE OF DISTRICT. The district is a municipal utility district in Galveston County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8130.003. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, the following laws apply to the district:

(1) Chapters 49 and 54, Water Code, including Subchapter J, Chapter 54, Water Code, notwithstanding the limitation on authorization based on acreage under Section 54.801 of that code; and

(2) Section 52(b)(3), Article III, Texas

1 Constitution.

2 [Sections 8130.004-8130.050 reserved for expansion]

3 SUBCHAPTER B. POWERS AND DUTIES

4 Sec. 8130.051. ROAD PROJECTS. (a) The district may
5 construct, acquire, improve, maintain, or operate macadamized,
6 graveled, or paved roads or turnpikes, or improvements in aid of
7 those roads or turnpikes, inside the district.

8 (b) A road project must meet all applicable construction
9 standards, zoning and subdivision requirements, and regulatory
10 ordinances of the municipality or county in whose jurisdiction the
11 district is located.

12 (c) The district may not undertake a road project unless
13 each municipality or county in whose jurisdiction the district is
14 located consents by ordinance or resolution.

15 Sec. 8130.052. COMPLIANCE WITH MUNICIPAL CONSENT
16 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section
17 54.016, Water Code, the district shall comply with all applicable
18 requirements of any ordinance or resolution adopted by the city
19 council of the City of Kemah, including an ordinance or resolution
20 adopted before September 1, 2005, that consents to the creation of
21 the district or to the inclusion of lands within the district.

22 [Sections 8130.053-8130.100 reserved for expansion]

23 SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

24 Sec. 8130.101. TAX TO REPAY BONDS FOR ROAD PROJECTS. The
25 district may impose a tax to pay the principal of or interest on
26 bonds issued under Section 8130.151.

27 [Sections 8130.102-8130.150 reserved for expansion]

SUBCHAPTER D. BONDSSec. 8130.151. AUTHORITY TO ISSUE BONDS FOR ROAD PROJECTS.

(a) The district may issue bonds or other obligations as provided by Chapters 49 and 54, Water Code, to finance the construction, maintenance, or operation of projects under Section 8130.051.

(b) The district may not issue bonds or other obligations secured in whole or in part by ad valorem taxation to finance projects authorized by Section 8130.051 unless the issuance is approved by a vote of a two-thirds majority of the voters of the district or of the defined area to be benefited by the project as provided by Subchapter J, Chapter 54, Water Code, voting at an election called for that purpose. The simple majority vote approval required by Section 54.808(a), Water Code, does not apply to an election under this subsection.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section 8130.051 may not exceed one-fourth of the assessed value of the real property in the district or the defined area, as applicable.

(d) Sections 49.181, 49.182, and 50.107, Water Code, do not apply to a project undertaken by the district under Section 8130.051 or to bonds issued by the district to finance the project.

SECTION 2. (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,

1 Government Code.

2 (b) The governor, one of the required recipients, has
3 submitted the notice and Act to the Texas Commission on
4 Environmental Quality.

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

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

13 SECTION 3. This Act takes effect September 1, 2005.

Maid Swihurst
President of the Senate

Jim Cusick
Speaker of the House

I hereby certify that S.B. No. 1864 passed the Senate on May 5, 2005, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 23, 2005, by a viva-voce vote. _____

Patsy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1864 passed the House, with amendment, on May 20, 2005, by a non-record vote. _____

Robert Hamer
Chief Clerk of the House

Approved:

17 JUNE '05
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

9:20 AM JUNE 17 2005

JUN 17 2005

Roger Williams
Secretary of State