

Chapter 384

H.B. No. 2552

1 AN ACT

2 relating to the powers and duties of the Canyon Falls Municipal
3 Utility District No. 1 of Denton County; providing authority to
4 issue bonds and impose a tax.

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 7908 to read as follows:

8 CHAPTER 7908. CANYON FALLS MUNICIPAL UTILITY DISTRICT NO. 1 OF

9 DENTON COUNTY

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7908.001. DEFINITION. In this chapter, "district"
12 means the Canyon Falls Municipal Utility District No. 1 of Denton
13 County.

14 Sec. 7908.002. NATURE AND PURPOSES OF DISTRICT. (a) The
15 district is a municipal utility district created under Section 59,
16 Article XVI, Texas Constitution.

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

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

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

1 SUBCHAPTER B. POWERS AND DUTIES

2 Sec. 7908.051. GENERAL POWERS AND DUTIES. The district has
3 the powers and duties necessary to accomplish the purposes for
4 which the district is created.

5 Sec. 7908.052. MUNICIPAL UTILITY DISTRICT POWERS AND
6 DUTIES. The district has the powers and duties provided by the
7 general law of this state, including Chapters 49 and 54, Water Code,
8 applicable to municipal utility districts created under Section 59,
9 Article XVI, Texas Constitution.

10 Sec. 7908.053. AUTHORITY FOR ROAD PROJECTS. Under Section
11 52, Article III, Texas Constitution, the district may design,
12 acquire, construct, finance, issue bonds for, improve, operate,
13 maintain, and convey to this state, a county, or a municipality for
14 operation and maintenance macadamized, graveled, or paved roads, or
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 7908.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road
17 project must meet all applicable construction standards, zoning and
18 subdivision requirements, and regulations of each municipality in
19 whose corporate limits or extraterritorial jurisdiction the road
20 project is located.

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

26 (c) If the state will maintain and operate the road, the
27 Texas Transportation Commission must approve the plans and

1 specifications of the road project.

2 SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

3 Sec. 7908.101. AUTHORITY TO ISSUE BONDS AND OTHER
4 OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or
5 other obligations payable wholly or partly from ad valorem taxes,
6 impact fees, revenue, contract payments, grants, or other district
7 money, or any combination of those sources, to pay for a road
8 project authorized by Section 7908.053.

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

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

18 Sec. 7908.102. TAXES FOR BONDS. At the time the district
19 issues bonds payable wholly or partly from ad valorem taxes, the
20 district shall provide for the annual imposition of a continuing
21 direct ad valorem tax, without limit as to rate or amount, while all
22 or part of the bonds are outstanding as required and in the manner
23 provided by Sections 54.601 and 54.602, Water Code.

24 SECTION 2. Canyon Falls Municipal Utility District No. 1 of
25 Denton County retains all rights, powers, privileges, authorities,
26 duties, and functions that it had before the effective date of this
27 Act.

1 SECTION 3. (a) The legislature validates and confirms all
2 governmental acts and proceedings of the Canyon Falls Municipal
3 Utility District No. 1 of Denton County that were taken before the
4 effective date of this Act.

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

7 (1) is involved in litigation if the litigation
8 ultimately results in the matter being held invalid by a final court
9 judgment; or

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

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

18 (b) The governor, one of the required recipients, has
19 submitted the notice and Act to the Texas Commission on
20 Environmental Quality.

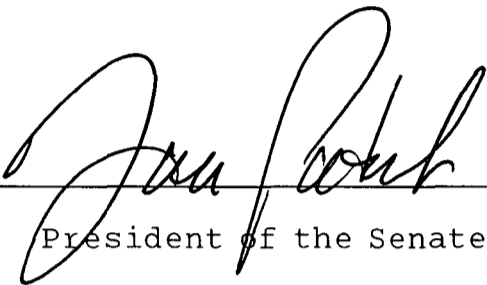
21 (c) The Texas Commission on Environmental Quality has filed
22 its recommendations relating to this Act with the governor, the
23 lieutenant governor, and the speaker of the house of
24 representatives within the required time.

25 (d) All requirements of the constitution and laws of this
26 state and the rules and procedures of the legislature with respect
27 to the notice, introduction, and passage of this Act are fulfilled

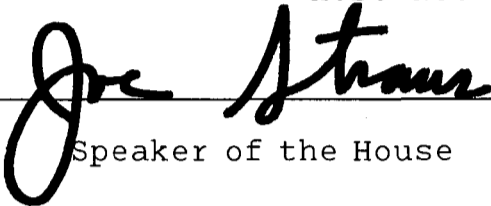
1 and accomplished.

2 SECTION 5. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2015.

H.B. No. 2552

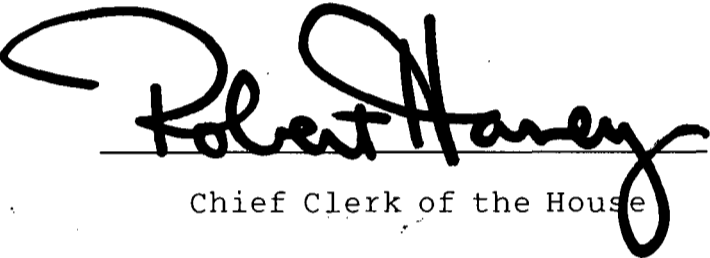


President of the Senate




Speaker of the House

I certify that H.B. No. 2552 was passed by the House on April 23, 2015, by the following vote: Yeas 139, Nays 0, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 2552 was passed by the Senate on May 20, 2015, by the following vote: Yeas 30, Nays 1.



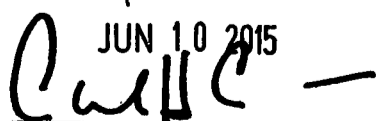
Secretary of the Senate

APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
7⁴⁵ pm O'CLOCK

JUN 10 2015


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

TO: Honorable Eddie Lucio Jr., Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2552 by Parker (Relating to the powers and duties of the Canyon Falls Municipal Utility District No. 1 of Denton County; providing authority to issue bonds and impose a tax.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KVe, EK

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 26, 2015

TO: Honorable Doug Miller, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2552 by Parker (Relating to the powers and duties of the Canyon Falls Municipal Utility District No. 1 of Denton County; providing authority to issue bonds and impose a tax.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KVe, EK

LEGISLATIVE BUDGET BOARD
Austin, Texas

WATER DEVELOPMENT POLICY IMPACT STATEMENT

84TH LEGISLATIVE REGULAR SESSION

March 30, 2015

TO: Honorable Doug Miller, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2552 by Parker (Relating to the powers and duties of the Canyon Falls Municipal Utility District No. 1 of Denton County; providing authority to issue bonds and impose a tax.), **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*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
March 27, 2015

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) 2552, as Filed by Representative Tan Parker - Relating to the powers and duties of the Canyon Falls Municipal Utility District No. 1 of Denton County; providing authority to issue bonds and impose a tax

Dear Speaker Straus:

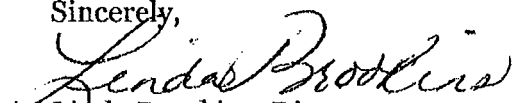
The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts.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

The bill codifies Canyon Falls Municipal Utility District No. 1 of Denton County (the "District") as Chapter 7908, Special District Local Laws Code, with the powers of a municipal utility district operating under Chapters 49 and 54, Water Code.

The bill grants the District road powers.

The bill validates and confirms all governmental acts and proceedings of the District that were taken before the effective date of the bill. The validation does not apply to any matter that on the effective date of the bill: (1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or (2) has been held invalid by a final court judgment.

Sincerely,


Linda Brookins, Director
Water Supply Division

cc: Honorable Doug Miller, Chairman, House Committee on Special Purpose Districts
Representative Tan Parker, Texas House of Representatives

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

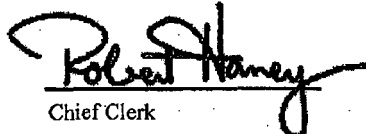
HB 2552
Bill Number

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.

3/12/2015

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.

March 16, 2015

Date transmitted to
Texas Commission on Environmental Quality

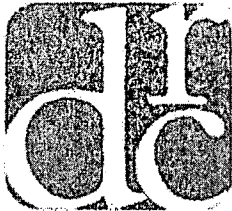

Governor

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





DC
MEDIA COMPANY
NEWS & ADVERTISING SOLUTIONS
10000 North Loop West, Suite 1000, Houston, TX 77037

314 E. Hickory
P.O. Box 369
Denton, TX 76202
940-387-3811

Publication(s): Denton Record-Chronicle

PROOF OF PUBLICATION

Being duly sworn (s)he is the Publisher/authorized designee of the Denton Record-Chronicle, in City of Denton/surrounding areas in Denton County; Newspaper of general circulation which has been continuously and regularly published for a period of not less than one year preceding the date of the attached notice, and that the said notice was published in said newspaper on the following dates. Publication of a neighborhood newspaper began on May 7, 2005: Lewisville/Flower Mound/ Highland Village NeighborsGo (name changed from Southern Denton County Neighbors effective 12/2008)

02/03/2015

(signature of Authorized Designee)

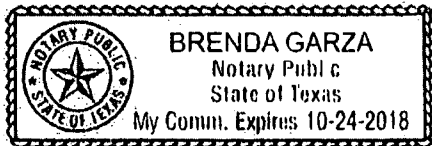
Subscribed and sworn to before me
this 20 day of Feb by
2015

(printed name of Designee)

Witness my hand and official seal:

(signature of notary public)

Notary Public, Denton County, Texas



ALLEN BOONE HUMPHRIES ROBINSON LLP
3200 SOUTHWEST FREEWAY
HOUSTON, TX 77027

Ad Number: 0001389361-01

Price: \$12.80

Ad Copy:

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 84th Legislature of Texas a bill relating to supplemental powers and authority of Canyon Falls Municipal Utility District No. 1 of Denton County, including road powers pursuant to Article III, Section 52 of the Constitution of Texas.

DRC 2/3/15