

BILL ANALYSIS

Senate Research Center
85R5396 DMS-F

H.B. 1445
By: Bell (Creighton)
Administration
5/2/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1445 amends current law relating to providing road district powers to the Montgomery County Municipal Utility District No. 130 and provides authority to issue bonds.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapter 7966, as follows:

CHAPTER 7966. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 130

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7966.001. DEFINITION. Defines "district."

Sec. 7966.002. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) Provides that the Montgomery County Municipal Utility District No. 130 (district) is created to serve a public purpose and benefit.

(b) Provides that the district is created to accomplish the purposes of a municipal utility district (MUD) as provided by general law and Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI (General Provisions), Texas Constitution, and Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III (Legislative Department), Texas Constitution, relating to the construction, acquisition, improvement, operation, or maintenance of certain roads, or improvements, including storm drainage, in aid of those roads.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7966.101. AUTHORITY FOR ROAD PROJECTS. Authorizes the district, under Section 52, Article III, Texas Constitution, to design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or municipality for operation and maintenance certain roads, or certain improvements, including storm drainage, in aid of those roads.

Sec. 7966.102. ROAD STANDARDS AND REQUIREMENTS. (a) Requires that a road project meet all applicable construction standards, zoning, and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) Requires that a road project, if the road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) Requires the Texas Transportation Commission, if the state will maintain and operate the road, to approve the plans and specifications of the road project.

SUBCHAPTER C. BONDS

Sec. 7966.201. BONDS FOR ROAD PROJECTS. Prohibits the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes from, at the time of issuance, exceeding one-fourth of the assessed value of the real property in the district.

SECTION 2. Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3. Effective date: upon passage or September 1, 2017.