

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE F. MUNICIPAL UTILITY DISTRICTS

CHAPTER 7904A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 249

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7904A.0101. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "City" means the City of Fulshear, Texas.
- (3) "Commission" means the Texas Commission on Environmental Quality.
- (4) "Director" means a board member.
- (5) "District" means the Fort Bend County Municipal Utility District No. 249.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. [4615](#)), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. [4615](#)), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section [49.102](#), Water Code.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. [4615](#)), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section [7904A.0103](#) until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

(a) The district is created to serve a public purpose and benefit.

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

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

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

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7904A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7904A.0202, directors serve staggered four-year terms.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0202. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7904A.0103; or

(2) the fourth anniversary of the effective date of the Act enacting this chapter.

(c) If permanent directors have not been elected under Section 7904A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7904A.0103; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7904A.0301. GENERAL POWERS AND DUTIES. The district

has the powers and duties necessary to accomplish the purposes for which the district is created.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must 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) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

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

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1,

eff. June 15, 2021.

Sec. 7904A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0306. PUBLIC INFORMATION. (a) The district shall maintain an Internet website.

(b) The board shall make available on the district's Internet website the information required under Section 26.18, Tax Code.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

Sec. 7904A.0401. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0402. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. 4615), Sec. 1,

eff. June 15, 2021.

Sec. 7904A.0403. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. [4615](#)), Sec. 1, eff. June 15, 2021.

Sec. 7904A.0404. CONSENT OF MUNICIPALITY AND DEVELOPMENT AGREEMENT REQUIRED. (a) The temporary directors may not hold an election to authorize the issuance of bonds until:

(1) the governing body of the city by ordinance or resolution consents to the creation of the district and to the inclusion of land in the district; and

(2) the district, the city, and the owner or owners of a majority of the assessed value of real property in the district negotiate and execute a mutually approved and accepted development and operating agreement, including any limitations imposed by the city.

(b) The city's consent under Subsection (a) must be granted in the manner provided by Section [54.016](#), Water Code, for including land within the corporate limits or extraterritorial jurisdiction of a city.

Added by Acts 2021, 87th Leg., R.S., Ch. 753 (H.B. [4615](#)), Sec. 1, eff. June 15, 2021.