

SPECIAL DISTRICT LOCAL LAWS CODE  
TITLE 6. WATER AND WASTEWATER  
SUBTITLE F. MUNICIPAL UTILITY DISTRICTS  
CHAPTER 7979. ANTHEM MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7979.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Commission" means the Texas Commission on Environmental Quality.
- (3) "Director" means a board member.
- (4) "District" means the Anthem Municipal Utility District.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

Sec. 7979.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

Sec. 7979.003. 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 and landscaping, in aid of those roads.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

Sec. 7979.004. DISTRICT TERRITORY. (a) The district is

composed of the territory described by Section 3 of the Act enacting this section.

(b) The boundaries and field notes contained in Section 3 of the Act enacting this section 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. 476 (S.B. [1167](#)), Sec. 1, eff. June 14, 2021.

#### SUBCHAPTER B. POWERS AND DUTIES

Sec. 7979.051. 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 2017, 85th Leg., R.S., Ch. 619 (H.B. [4270](#)), Sec. 1, eff. June 12, 2017.

Sec. 7979.052. 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 2017, 85th Leg., R.S., Ch. 619 (H.B. [4270](#)), Sec. 1, eff. June 12, 2017.

Sec. 7979.053. 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 and landscaping, in aid of

those roads.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. [4270](#)), Sec. 1, eff. June 12, 2017.

Sec. 7979.054. 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 2017, 85th Leg., R.S., Ch. 619 (H.B. [4270](#)), Sec. 1, eff. June 12, 2017.

Sec. 7979.055. STRATEGIC PARTNERSHIP AGREEMENT. The district may negotiate and enter into a written strategic partnership agreement with:

(1) a municipality under Section [43.0751](#), Local Government Code; and

(2) a municipality that provides water and wastewater services to the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. [4270](#)), Sec. 1, eff. June 12, 2017.

#### SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 7979.101. ELECTIONS REGARDING TAXES OR BONDS.

(a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section [7979.103](#).

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

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

(d) Section 49.303(d), Water Code, does not apply to the district. The district may rely on a previously held election for the approval to issue bonds payable in whole or in part from taxes after the exclusion of territory described by the Act enacting this section.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 476 (S.B. 1167), Sec. 2, eff. June 14, 2021.

Sec. 7979.102. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7979.101, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

Sec. 7979.103. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

SUBCHAPTER D. ASSESSMENTS; APPLICABILITY OF IMPACT FEES AND  
ASSESSMENTS

Sec. 7979.151. PETITION REQUIRED FOR FINANCING RECREATIONAL FACILITIES, IMPROVEMENTS, AND SERVICES WITH ASSESSMENTS. (a) The board may finance the construction or maintenance of a recreational facility or improvement or finance the provision of a recreational service with assessments on commercial or residential property, or both, under this subchapter, but only if:

(1) a written petition requesting that facility, improvement, or service has been filed with the board; and

(2) the board holds a hearing on the proposed assessments.

(b) The petition must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

Sec. 7979.152. METHOD OF NOTICE FOR HEARING. The district shall mail notice of the hearing to each property owner in the district who will be subject to the assessment at the current address to be assessed as reflected on the tax rolls. The district may mail the notice by certified or first class United States mail. The board shall determine the method of notice.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

Sec. 7979.153. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) An assessment or a reassessment imposed under this subchapter by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(b) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(c) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

Sec. 7979.154. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND ASSESSMENTS. The district may not impose an impact fee or assessment on the property, including the equipment, rights-of-way, facilities, or improvements, of:

(1) an electric utility or a power generation company as defined by Section 31.002, Utilities Code;

(2) a gas utility as defined by Section 101.003 or 121.001, Utilities Code;

(3) a telecommunications provider as defined by Section 51.002, Utilities Code; or

(4) a person who provides to the public cable television or advanced telecommunications services.

Added by Acts 2017, 85th Leg., R.S., Ch. 619 (H.B. 4270), Sec. 1, eff. June 12, 2017.

#### SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7979.201. 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 2017, 85th Leg., R.S., Ch. 619 (H.B. [4270](#)), Sec. 1, eff. June 12, 2017.

Sec. 7979.202. 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 2017, 85th Leg., R.S., Ch. 619 (H.B. [4270](#)), Sec. 1, eff. June 12, 2017.

Sec. 7979.203. 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 2017, 85th Leg., R.S., Ch. 619 (H.B. [4270](#)), Sec. 1, eff. June 12, 2017.