

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 6. WATER AND WASTEWATER

SUBTITLE F. MUNICIPAL UTILITY DISTRICTS

For contingent expiration of this chapter, see Sec. 8122.003.

CHAPTER 8122. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT

NO. 177

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8122.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Director" means a member of the board.

(3) "District" means the Fort Bend County Municipal Utility District No. 177.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. 1795), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. 3476), Sec. 1, eff. September 1, 2005.

Sec. 8122.002. NATURE OF DISTRICT. The district is a municipal utility district in Fort Bend County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. 1795), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. 3476), Sec. 1, eff. September 1, 2005.

Sec. 8122.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8122.023 before September 1, 2007:

(1) the district is dissolved September 1, 2007, except that:

(A) any debts incurred shall be paid;

(B) any assets that remain after the payment of debts shall be transferred to Fort Bend County; and

(C) the organization of the district shall be maintained until all debts are paid and remaining assets are transferred; and

(2) this chapter expires September 1, 2010.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff. September 1, 2005.

Sec. 8122.004. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act creating this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act creating 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:

(1) the organization, existence, or validity of the district;

(2) the right of the district to impose taxes;

(3) the validity of the district's bonds, notes, or indebtedness; or

(4) the legality or operation of the district or the board.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff. September 1, 2005.

Sec. 8122.005. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this chapter, Chapters [49](#) and [54](#), Water Code, apply to the district.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff. September 1, 2005.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8122.051. DIRECTORS; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff. September 1, 2005.

Sec. 8122.052. ELECTION OF DIRECTORS. On the uniform election date in May of each even-numbered year, the appropriate number of directors shall be elected.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff. September 1, 2005.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8122.101. GENERAL POWERS. The district has all of the rights, powers, privileges, authority, functions, 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 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff. September 1, 2005.

Sec. 8122.102. ROAD PROJECTS. The district may construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads or turnpikes, or improvements in aid of those roads or turnpikes, inside or outside the district.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff.

September 1, 2005.

Sec. 8122.103. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section 54.016, Water Code, the district shall comply with all applicable requirements of any ordinance or resolution adopted by the city council of the City of Rosenberg, including an ordinance or resolution adopted before September 1, 2005, that consents to the creation of the district or to the inclusion of lands within the district.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. 1795), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. 3476), Sec. 1, eff. September 1, 2005.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8122.151. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of or interest on bonds issued under Section 8122.201.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. 1795), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. 3476), Sec. 1, eff. September 1, 2005.

Sec. 8122.152. 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 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff. September 1, 2005.

SUBCHAPTER E. BONDS

Sec. 8122.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (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 Sections [8122.101](#) and [8122.102](#).

(b) The district may not issue bonds to finance projects authorized by Section [8122.102](#) unless the issuance is approved by a vote of a two-thirds majority of the voters of the district voting at an election called for that purpose.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section [8122.102](#) may not exceed one-fourth of the assessed value of the real property in the district.

(d) Sections [49.181](#) and [49.182](#), Water Code, do not apply to a project undertaken by the district under Section [8122.102](#) or to bonds issued by the district to finance the project.

Added by Acts 2005, 79th Leg., Ch. 430 (S.B. [1795](#)), Sec. 1, eff. September 1, 2005.

Added by Acts 2005, 79th Leg., Ch. 1166 (H.B. [3476](#)), Sec. 1, eff. September 1, 2005.