

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE F. MUNICIPAL UTILITY DISTRICTS
CHAPTER 8164. COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8164.001. DEFINITION. In this chapter, "district" means the Collin County Municipal Utility District No. 1.

Added by Acts 2007, 80th Leg., R.S., Ch. 1067 (H.B. 2442), Sec. 1, eff. June 15, 2007.

Sec. 8164.002. NATURE OF DISTRICT. (a) The district is a municipal utility district with road powers.

(b) The district is essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution, and will serve a public use and benefit.

Added by Acts 2007, 80th Leg., R.S., Ch. 1067 (H.B. 2442), Sec. 1, eff. June 15, 2007.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 8164.051. 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 2007, 80th Leg., R.S., Ch. 1067 (H.B. 2442), Sec. 1, eff. June 15, 2007.

Sec. 8164.052. ROAD PROJECTS. (a) 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.

(b) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulatory ordinances of the municipality or county in whose jurisdiction the

district is located.

Added by Acts 2007, 80th Leg., R.S., Ch. 1067 (H.B. 2442), Sec. 1, eff. June 15, 2007.

Sec. 8164.053. ROAD CONTRACTS. The district may contract for a road project in the same manner as provided by Subchapter I, Chapter 49, Water Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 1067 (H.B. 2442), Sec. 1, eff. June 15, 2007.

Sec. 8164.054. CONTRACT WITH POLITICAL SUBDIVISION FOR WATER OR SEWER SERVICES. (a) The district may enter into a contract to allow a political subdivision to provide retail water or sewer service in the district. The contract may contain terms the board considers desirable, fair, and advantageous to the district.

(b) The contract may provide that the district will construct or acquire and convey to the political subdivision a water supply or treatment system, a water distribution system, or a sanitary sewage collection or treatment system, as necessary to provide water or sewer service in the district.

(c) The district may use bond proceeds or other available district money to pay for its obligations and for services and facilities provided under the contract.

(d) If the contract requires the district to make payments from taxes other than operation and maintenance taxes, the contract is subject to Section 49.108, Water Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 1067 (H.B. 2442), Sec. 1, eff. June 15, 2007.

Sec. 8164.055. DIVISION OF DISTRICT. (a) Subject to this section, the district may divide into two or more districts as provided by Sections 51.748, 51.749, 51.750, 51.751, 51.752, and 51.753, Water Code. For the purpose of applying those sections, the district shall be considered an original district and a reference to "this chapter" shall be considered a reference to Chapter 54, Water Code.

(b) On petition of any district landowner or on a motion by the district's board of directors, the board may consider a proposal to divide the district.

(c) No division of the district may occur that would result in the creation of a new district that contains land outside of the boundaries of the district as it existed on January 1, 2009.

(d) Section 54.016, Water Code, and Section 42.042, Local Government Code, do not apply to any new district created by the division of the district.

Added by Acts 2009, 81st Leg., R.S., Ch. 1063 (H.B. 4712), Sec. 1, eff. June 19, 2009.

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 8164.101. OPERATION AND MAINTENANCE TAX. (a) The district may impose a tax for any district operation and maintenance purpose in the manner provided by Section 49.107, Water Code.

(b) Section 49.107(f), Water Code, does not apply to reimbursements for projects constructed or acquired under Section 8164.052.

Added by Acts 2007, 80th Leg., R.S., Ch. 1067 (H.B. 2442), Sec. 1, eff. June 15, 2007.

Sec. 8164.102. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of and interest on bonds issued under Section 8164.151.

Added by Acts 2007, 80th Leg., R.S., Ch. 1067 (H.B. 2442), Sec. 1, eff. June 15, 2007.

Sec. 8164.103. 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 2007, 80th Leg., R.S., Ch. 1067 (H.B. [2442](#)), Sec. 1, eff. June 15, 2007.

SUBCHAPTER D. BONDS

Sec. 8164.151. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) In addition to the general authority to issue bonds under Chapters [49](#) and [54](#), Water Code, the district may issue bonds or other obligations as provided by Chapters [49](#) and [54](#), Water Code, to finance:

(1) the construction, maintenance, or operation of projects under Section 8164.052; or

(2) the district's contractual obligations under Section [8164.054](#).

(b) The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, grants, or other district money or any combination of those sources.

(c) The district may not issue bonds or other obligations secured wholly or partly by ad valorem taxation to finance projects authorized by Section [8164.052](#) 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.

(d) Bonds or other obligations issued or incurred to finance projects authorized by Section [8164.052](#) may not exceed one-fourth of the assessed value of the real property in the district.

(e) Sections [49.181](#) and [49.182](#), Water Code, do not apply to a project undertaken by the district under Section [8164.052](#) or to bonds issued by the district to finance the project.

Added by Acts 2007, 80th Leg., R.S., Ch. 1067 (H.B. [2442](#)), Sec. 1, eff. June 15, 2007.