

SPECIAL DISTRICT LOCAL LAWS CODE  
TITLE 6. WATER AND WASTEWATER  
SUBTITLE F. MUNICIPAL UTILITY DISTRICTS  
CHAPTER 8474. LASALLE MUNICIPAL UTILITY DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8474.001. 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 LaSalle Municipal Utility District No. 3.

Added by Acts 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Added by Acts 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.003. CONFIRMATION AND DIRECTORS' 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8474.003 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1,

eff. June 14, 2013.

Sec. 8474.005. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.006. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8474.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8474.052, directors serve staggered four-year terms.

Added by Acts 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1,

eff. June 14, 2013.

Sec. 8474.052. TEMPORARY DIRECTORS. (a) The temporary board consists of:

- (1) Jeremy Mazur;
- (2) Curtis Davidson;
- (3) Ross Allen;
- (4) Edward Wilhelm; and
- (5) Brent Covert.

(b) Temporary directors serve until the earlier of:

- (1) the date permanent directors are elected under Section [8474.003](#); or
- (2) the fourth anniversary of the effective date of their designation.

(c) If permanent directors have not been elected under Section [8474.003](#) 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 [8474.003](#); 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. [1901](#)), Sec. 1, eff. June 14, 2013.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 679 (S.B. [2297](#)), Sec. 1, eff. June 12, 2017.

## SUBCHAPTER C. POWERS AND DUTIES

Sec. 8474.101. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.102. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, and Section 53.029(c), Water Code, 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.104. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.105. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8474.151. 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 8474.153.

(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.

Added by Acts 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8474.151, 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Sec. 8474.153. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

#### SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8474.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) Except as provided by Subsection (b), 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.

(b) The district may not issue bonds payable wholly or partly from assessments.

Added by Acts 2013, 83rd Leg., R.S., Ch. 627 (S.B. 1901), Sec. 1, eff. June 14, 2013.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 679 (S.B. 2297), Sec. 2, eff. June 12, 2017.

Sec. 8474.202. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. [1901](#)), Sec. 1, eff. June 14, 2013.

Sec. 8474.203. 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 2013, 83rd Leg., R.S., Ch. 627 (S.B. [1901](#)), Sec. 1, eff. June 14, 2013.

#### SUBCHAPTER F. ASSESSMENTS; APPLICABILITY OF ASSESSMENTS

Sec. 8474.251. PETITION REQUIRED FOR FINANCING IMPROVEMENTS AND RECREATIONAL FACILITIES WITH ASSESSMENTS. (a) Except as provided by this subchapter, the board may finance the construction or maintenance of a recreational facility or improvement with assessments on property under this subchapter only if:

(1) a written petition requesting that facility or improvement 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. 679 (S.B. [2297](#)), Sec. 3, eff. June 12, 2017.

Sec. 8474.252. MISCELLANEOUS DESIGN, CONSTRUCTION, AND MAINTENANCE. An improvement or recreational facility project may include the planning, design, construction, improvement, and maintenance of:

(1) landscaping;

(2) marinas and bridges;

(3) lighting, banners, and signs;

- (4) hiking and cycling paths or trails;
- (5) sidewalks, pedestrian walkways, skywalks, crosswalks, or tunnels;
- (6) ponds, lakes, recreational facilities, or scenic areas;
- (7) plazas or pedestrian malls;
- (8) drainage or navigation improvements; or
- (9) solid waste, water, sewer, or power facilities, including electrical and gas power facilities.

Added by Acts 2017, 85th Leg., R.S., Ch. 679 (S.B. [2297](#)), Sec. 3, eff. June 12, 2017.

Sec. 8474.253. 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. 679 (S.B. [2297](#)), Sec. 3, eff. June 12, 2017.

Sec. 8474.254. 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. 679 (S.B. [2297](#)), Sec. 3, eff. June 12, 2017.

Sec. 8474.255. UTILITY PROPERTY EXEMPT FROM ASSESSMENTS. The district may not impose an 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. 679 (S.B. [2297](#)), Sec. 3, eff. June 12, 2017.