

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 25

**RESOLUTION AUTHORIZING AN ADDITIONAL
PENALTY ON DELINQUENT TAXES**

WHEREAS, the Board of Directors of Fort Bend County Municipal Utility District No. 25 (the "District") is desirous of defraying the costs of collection of delinquent taxes; and

WHEREAS, the District has contracted with an attorney for collection of delinquent taxes as set forth in Section 6.30 of the Texas Tax Code, as amended (the "Tax Code"); and

WHEREAS, Section 33.07 of the Tax Code provides that if the District has contracted with an attorney under Section 6.30 of the Tax Code for collection of the District's delinquent taxes (the "Delinquent Tax Attorney"), the District may impose an additional penalty (not to exceed the amount of the compensation specified in the contract with the Delinquent Tax Attorney) on taxes that become delinquent on or after February 1 of a year (but not later than May 1 of that year) and that remain delinquent on July 1 of the year in which they become delinquent; and

WHEREAS, Section 33.08 of the Tax Code provides that if the District imposes the additional penalty for collection costs under Section 33.07 of the Tax Code and contracts with a Delinquent Tax Attorney, the District may impose an additional penalty (not to exceed the amount of the compensation specified in the contract with the Delinquent Tax Attorney) on taxes that become delinquent on or after June 1 of a year; and

WHEREAS, Section 6.30 of the Tax Code provides that compensation to be paid to a Delinquent Tax Attorney shall not exceed twenty percent (20%) of the amount of the total delinquent tax, penalty and interest collected; and

WHEREAS, Section 33.11 of the Tax Code provides that the District may impose an additional penalty on tangible personal property taxes ("Personal Property Taxes") that become delinquent on or after February 1 of a year on a date that occurs before July 1 of the year in which the taxes become delinquent if (i) the District has contracted with a Delinquent Tax Attorney, and (ii) such Personal Property Taxes become subject to said contract before July 1 of the year in which the taxes become delinquent; and

WHEREAS, Section 33.11 of the Tax Code also provides that (a) a penalty imposed on delinquent Personal Property Taxes is incurred on the later of (i) the date those taxes become subject to the Delinquent Tax Attorney's contract, or (ii) sixty (60) days after the date the taxes become delinquent, and (b) the amount of the penalty may not exceed the amount of the compensation specified in the contract with the Delinquent Tax Attorney. Now, therefore,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 25 THAT:

Section 1. The District has entered into a contract with a Delinquent Tax Attorney pursuant to Section 6.30 of the Tax Code for the collection of the District's delinquent taxes, penalty and interest.

Section 2. Other than Personal Property Taxes, District taxes that become delinquent on or after February 1 of a year (but not later than May 1 of that year) and that remain delinquent on

July 1 of the year in which such taxes become delinquent shall incur an additional penalty of twenty percent (20%) of the amount of such taxes, penalty and interest to defray the costs of collection of said delinquent taxes, in accordance with Section 33.07 of the Tax Code.

Section 3. Other than Personal Property Taxes, District taxes that become delinquent on or after June 1 of a year shall incur an additional penalty of twenty percent (20%) of the amount of such taxes, penalty and interest, in accordance with Section 33.08 of the Tax Code.


Section 4. District Personal Property Taxes that become delinquent on or after February 1 of a year shall incur an additional penalty of twenty percent (20%) of the amount of such taxes, penalty and interest on April 2 of that year, in accordance with Section 33.11 of the Tax Code.

Section 5. The District's tax assessor/collector shall mail a notice of delinquency and of the penalty imposed pursuant to Section 2 of this Resolution to the property owner at least thirty (30), but not more than sixty (60), days before July 1 of a year that taxes are levied by the District, in accordance with Section 33.07 of the Tax Code.

Section 6. The District's tax assessor/collector shall mail a notice of delinquency and of the penalty imposed pursuant to Section 3 of this Resolution to the property owner. The penalty imposed pursuant to Section 3 above is incurred on the first day of the first month that begins at least twenty-one (21) days after the date such notice is sent pursuant to Section 33.08 of the Tax Code.


Section 7. Pursuant to Section 33.11 of the Tax Code, the District's tax assessor/collector shall mail a notice of delinquency and of the penalty imposed pursuant to Section 4 of this Resolution to the property owner which states the date on which the penalty is incurred. The District's tax assessor/collector shall deliver such notice at least thirty (30), but not more than sixty (60), days before the date said penalty is incurred. If the amount of the Personal Property Taxes, penalty and interest owed to all taxing units for which the District's tax assessor/collector collects exceeds \$10,000 on a single account identified by a unique property identification number, the notice regarding that account must be delivered by certified mail, return receipt requested; otherwise the notice referenced in this Section shall be sent by regular first-class mail.

PASSED and APPROVED this 21st day of March, 2024.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)

