

By: Thompson of Brazoria

H.B. No. 4597

A BILL TO BE ENTITLED

AN ACT

1
2 relating to validating certain acts and proceedings of the East
3 Lake Houston Management District and to the authority of the
4 district to exercise certain powers, issue bonds, and impose fees,
5 taxes, and assessments.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subchapter C, Chapter 3936, Special District
8 Local Laws Code, is amended by adding Section 3936.113 to read as
9 follows:

10 Sec. 3936.113. PUBLIC IMPROVEMENT DISTRICT POWERS. The
11 district has the powers provided by Chapter 372, Local Government
12 Code, to a municipality or county.

13 SECTION 2. Subchapter D, Chapter 3936, Special District
14 Local Laws Code, is amended by adding Section 3936.162 to read as
15 follows:

16 Sec. 3936.162. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
17 Section 375.161, Local Government Code, does not apply to the
18 district.

19 SECTION 3. Section 3936.204, Special District Local Laws
20 Code, is amended by adding Subsection (d) to read as follows:

21 (d) The district may issue, by public or private sale,
22 bonds, notes, or other obligations payable wholly or partly from
23 assessments in the manner provided by Subchapter A, Chapter 372,
24 Local Government Code, if the improvements financed by an

1 obligation issued under this section will be conveyed to, operated
2 and maintained by, or otherwise financed pursuant to an agreement
3 between the district and the county, a municipality, or a retail
4 utility provider entered into before the issuance of the
5 obligation.

6 SECTION 4. (a) The legal notice of the intention to
7 introduce this Act, setting forth the general substance of this
8 Act, has been published as provided by law, and the notice and a
9 copy of this Act have been furnished to all persons, agencies,
10 officials, or entities to which they are required to be furnished
11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
12 Government Code.

13 (b) The governor, one of the required recipients, has
14 submitted the notice and Act to the Texas Commission on
15 Environmental Quality.

16 (c) The Texas Commission on Environmental Quality has filed
17 its recommendations relating to this Act with the governor,
18 lieutenant governor, and speaker of the house of representatives
19 within the required time.

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act have been
23 fulfilled and accomplished.

24 SECTION 5. (a) The following are validated and confirmed in
25 all respects:

26 (1) the creation of the East Lake Houston Management
27 District; and

1 (2) any act or proceeding of the district, including
2 an election, not excepted by this section and taken not more than
3 three years before the effective date of this Act, effective as of
4 the date on which the act or proceeding occurred.

5 (b) This section does not apply to:

6 (1) an act, proceeding, director, other official,
7 bond, or other obligation the validity of which or of whom is the
8 subject of litigation that is pending on the effective date of this
9 Act; or

10 (2) an act or proceeding that, under a statute of this
11 state or the United States, was a misdemeanor or felony at the time
12 the act or proceeding occurred.

13 SECTION 6. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2021.