

1-1 By: Creighton S.B. No. 2172
 1-2 (In the Senate - Filed March 30, 2021; April 1, 2021, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 27, 2021, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 27, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Menéndez			X	
1-9 Eckhardt	X			
1-10 Gutierrez	X			
1-11 Hall	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 Springer	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of the Montgomery County Municipal Utility
 1-20 District No. 200; granting a limited power of eminent domain;
 1-21 providing authority to issue bonds; providing authority to impose
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-25 Code, is amended by adding Chapter 7930A to read as follows:

1-26 CHAPTER 7930A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT
 1-27 NO. 200

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 7930A.0101. DEFINITIONS. In this chapter:

1-30 (1) "Board" means the district's board of directors.

1-31 (2) "Commission" means the Texas Commission on
 1-32 Environmental Quality.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the Montgomery County Municipal
 1-35 Utility District No. 200.

1-36 Sec. 7930A.0102. NATURE OF DISTRICT. The district is a
 1-37 municipal utility district created under Section 59, Article XVI,
 1-38 Texas Constitution.

1-39 Sec. 7930A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-40 REQUIRED. The temporary directors shall hold an election to
 1-41 confirm the creation of the district and to elect five permanent
 1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 7930A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-44 temporary directors may not hold an election under Section
 1-45 7930A.0103 until each municipality in whose corporate limits or
 1-46 extraterritorial jurisdiction the district is located has
 1-47 consented by ordinance or resolution to the creation of the
 1-48 district and to the inclusion of land in the district.

1-49 Sec. 7930A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-50 (a) The district is created to serve a public purpose and benefit.

1-51 (b) The district is created to accomplish the purposes of:

1-52 (1) a municipal utility district as provided by
 1-53 general law and Section 59, Article XVI, Texas Constitution; and

1-54 (2) Section 52, Article III, Texas Constitution, that
 1-55 relate to the construction, acquisition, improvement, operation,
 1-56 or maintenance of macadamized, graveled, or paved roads, or
 1-57 improvements, including storm drainage, in aid of those roads.

1-58 Sec. 7930A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-59 district is initially composed of the territory described by
 1-60 Section 2 of the Act enacting this chapter.

1-61 (b) The boundaries and field notes contained in Section 2 of

2-1 the Act enacting this chapter form a closure. A mistake made in the
2-2 field notes or in copying the field notes in the legislative process
2-3 does not affect the district's:

- 2-4 (1) organization, existence, or validity;
- 2-5 (2) right to issue any type of bond for the purposes
2-6 for which the district is created or to pay the principal of and
2-7 interest on a bond;
- 2-8 (3) right to impose a tax; or
- 2-9 (4) legality or operation.

2-10 SUBCHAPTER B. BOARD OF DIRECTORS

2-11 Sec. 7930A.0201. GOVERNING BODY; TERMS. (a) The district
2-12 is governed by a board of five elected directors.

2-13 (b) Except as provided by Section 7930A.0202, directors
2-14 serve staggered four-year terms.

2-15 Sec. 7930A.0202. TEMPORARY DIRECTORS. (a) The temporary
2-16 board consists of:

- 2-17 (1) Austin Keith;
- 2-18 (2) Bradley McFarland;
- 2-19 (3) Justin Gage;
- 2-20 (4) Mitchell Buckley; and
- 2-21 (5) Maria Norris.

2-22 (b) Temporary directors serve until the earlier of:

- 2-23 (1) the date permanent directors are elected under
2-24 Section 7930A.0103; or
- 2-25 (2) the fourth anniversary of the effective date of
2-26 the Act enacting this chapter.

2-27 (c) If permanent directors have not been elected under
2-28 Section 7930A.0103 and the terms of the temporary directors have
2-29 expired, successor temporary directors shall be appointed or
2-30 reappointed as provided by Subsection (d) to serve terms that
2-31 expire on the earlier of:

- 2-32 (1) the date permanent directors are elected under
2-33 Section 7930A.0103; or
- 2-34 (2) the fourth anniversary of the date of the
2-35 appointment or reappointment.

2-36 (d) If Subsection (c) applies, the owner or owners of a
2-37 majority of the assessed value of the real property in the district
2-38 may submit a petition to the commission requesting that the
2-39 commission appoint as successor temporary directors the five
2-40 persons named in the petition. The commission shall appoint as
2-41 successor temporary directors the five persons named in the
2-42 petition.

2-43 SUBCHAPTER C. POWERS AND DUTIES

2-44 Sec. 7930A.0301. GENERAL POWERS AND DUTIES. The district
2-45 has the powers and duties necessary to accomplish the purposes for
2-46 which the district is created.

2-47 Sec. 7930A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
2-48 DUTIES. The district has the powers and duties provided by the
2-49 general law of this state, including Chapters 49 and 54, Water Code,
2-50 applicable to municipal utility districts created under Section 59,
2-51 Article XVI, Texas Constitution.

2-52 Sec. 7930A.0303. AUTHORITY FOR ROAD PROJECTS. Under
2-53 Section 52, Article III, Texas Constitution, the district may
2-54 design, acquire, construct, finance, issue bonds for, improve,
2-55 operate, maintain, and convey to this state, a county, or a
2-56 municipality for operation and maintenance macadamized, graveled,
2-57 or paved roads, or improvements, including storm drainage, in aid
2-58 of those roads.

2-59 Sec. 7930A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-60 road project must meet all applicable construction standards,
2-61 zoning and subdivision requirements, and regulations of each
2-62 municipality in whose corporate limits or extraterritorial
2-63 jurisdiction the road project is located.

2-64 (b) If a road project is not located in the corporate limits
2-65 or extraterritorial jurisdiction of a municipality, the road
2-66 project must meet all applicable construction standards,
2-67 subdivision requirements, and regulations of each county in which
2-68 the road project is located.

2-69 (c) If the state will maintain and operate the road, the

3-1 Texas Transportation Commission must approve the plans and
3-2 specifications of the road project.

3-3 Sec. 7930A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3-4 ORDINANCE OR RESOLUTION. The district shall comply with all
3-5 applicable requirements of any ordinance or resolution that is
3-6 adopted under Section 54.016 or 54.0165, Water Code, and that
3-7 consents to the creation of the district or to the inclusion of land
3-8 in the district.

3-9 Sec. 7930A.0306. DIVISION OF DISTRICT. (a) The district
3-10 may be divided into two or more new districts only if the district:

3-11 (1) has no outstanding bond debt; and

3-12 (2) is not imposing ad valorem taxes.

3-13 (b) This chapter applies to any new district created by
3-14 division of the district, and a new district has all the powers and
3-15 duties of the district.

3-16 (c) A new district created by the division of the district
3-17 may not, at the time the new district is created, contain any land
3-18 outside the area described by Section 2 of the Act enacting this
3-19 chapter.

3-20 (d) The board, on its own motion or on receipt of a petition
3-21 signed by the owner or owners of a majority of the assessed value of
3-22 the real property in the district, may adopt an order dividing the
3-23 district.

3-24 (e) The board may adopt an order dividing the district
3-25 before or after the date the board holds an election under Section
3-26 7930A.0103 to confirm the district's creation.

3-27 (f) An order dividing the district shall:

3-28 (1) name each new district;

3-29 (2) include the metes and bounds description of the
3-30 territory of each new district;

3-31 (3) appoint temporary directors for each new district;

3-32 and

3-33 (4) provide for the division of assets and liabilities
3-34 between the new districts.

3-35 (g) On or before the 30th day after the date of adoption of
3-36 an order dividing the district, the district shall file the order
3-37 with the commission and record the order in the real property
3-38 records of each county in which the district is located.

3-39 (h) A new district created by the division of the district
3-40 shall hold a confirmation and directors' election as required by
3-41 Section 7930A.0103.

3-42 (i) If the creation of the new district is confirmed, the
3-43 new district shall provide the election date and results to the
3-44 commission.

3-45 (j) A new district created by the division of the district
3-46 must hold an election as required by this chapter to obtain voter
3-47 approval before the district may impose a maintenance tax or issue
3-48 bonds payable wholly or partly from ad valorem taxes.

3-49 (k) Municipal consent to the creation of the district and to
3-50 the inclusion of land in the district granted under Section
3-51 7930A.0104 acts as municipal consent to the creation of any new
3-52 district created by the division of the district and to the
3-53 inclusion of land in the new district.

3-54 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-55 Sec. 7930A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
3-56 The district may issue, without an election, bonds and other
3-57 obligations secured by:

3-58 (1) revenue other than ad valorem taxes; or

3-59 (2) contract payments described by Section
3-60 7930A.0403.

3-61 (b) The district must hold an election in the manner
3-62 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-63 before the district may impose an ad valorem tax or issue bonds
3-64 payable from ad valorem taxes.

3-65 (c) The district may not issue bonds payable from ad valorem
3-66 taxes to finance a road project unless the issuance is approved by a
3-67 vote of a two-thirds majority of the district voters voting at an
3-68 election held for that purpose.

3-69 Sec. 7930A.0402. OPERATION AND MAINTENANCE TAX. (a) If

4-1 authorized at an election held under Section 7930A.0401, the
 4-2 district may impose an operation and maintenance tax on taxable
 4-3 property in the district in accordance with Section 49.107, Water
 4-4 Code.

4-5 (b) The board shall determine the tax rate. The rate may not
 4-6 exceed the rate approved at the election.

4-7 Sec. 7930A.0403. CONTRACT TAXES. (a) In accordance with
 4-8 Section 49.108, Water Code, the district may impose a tax other than
 4-9 an operation and maintenance tax and use the revenue derived from
 4-10 the tax to make payments under a contract after the provisions of
 4-11 the contract have been approved by a majority of the district voters
 4-12 voting at an election held for that purpose.

4-13 (b) A contract approved by the district voters may contain a
 4-14 provision stating that the contract may be modified or amended by
 4-15 the board without further voter approval.

4-16 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-17 Sec. 7930A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 4-18 OBLIGATIONS. The district may issue bonds or other obligations
 4-19 payable wholly or partly from ad valorem taxes, impact fees,
 4-20 revenue, contract payments, grants, or other district money, or any
 4-21 combination of those sources, to pay for any authorized district
 4-22 purpose.

4-23 Sec. 7930A.0502. TAXES FOR BONDS. At the time the district
 4-24 issues bonds payable wholly or partly from ad valorem taxes, the
 4-25 board shall provide for the annual imposition of a continuing
 4-26 direct ad valorem tax, without limit as to rate or amount, while all
 4-27 or part of the bonds are outstanding as required and in the manner
 4-28 provided by Sections 54.601 and 54.602, Water Code.

4-29 Sec. 7930A.0503. BONDS FOR ROAD PROJECTS. At the time of
 4-30 issuance, the total principal amount of bonds or other obligations
 4-31 issued or incurred to finance road projects and payable from ad
 4-32 valorem taxes may not exceed one-fourth of the assessed value of the
 4-33 real property in the district.

4-34 SECTION 2. The Montgomery County Municipal Utility District
 4-35 No. 200 initially includes all the territory contained in the
 4-36 following area:

4-37 Being 451.3 acres of land located in the Jacob Eyler Survey,
 4-38 Abstract Number 192 and the John Pevehouse Survey, Abstract Number
 4-39 424, Montgomery County, Texas, out of the 873.46 acre tract
 4-40 described in the deed to Magnolia JV LLC by an instrument of record
 4-41 in Document Number 2020094531 of the Official Public Records of
 4-42 said Montgomery County, Texas (M.C.O.P.R.), said 451.3 acre tract
 4-43 being more particularly described by metes and bounds as follows
 4-44 (all bearings referenced to said Document Number 2020094531,
 4-45 M.C.O.P.R.);

4-46 Beginning at the southwest corner of that certain called
 4-47 11.750 acre tract described as "Tract 6" in the deed to High Meadow
 4-48 44 Joint Venture by an instrument of record in Document Number
 4-49 2021000858, M.C.O.P.R., in the west line of said 873.46 acre tract
 4-50 and the west line of said Jacob Eyler Survey, common to the east
 4-51 line of Lot 28, Block 3 of Shady Oak Estates, a subdivision of
 4-52 record in Cabinet R, Sheet 191 of the Map Records of said Montgomery
 4-53 County, Texas (M.C.M.R.) and the east line of the George Stansbury
 4-54 Survey, Abstract Number 516, Montgomery County, Texas;

4-55 Thence, North 87° 07' 19" East, departing the west line of
 4-56 said 873.46 acre tract and the west line of said Jacob Eyler Survey,
 4-57 common to the east line of said Shady Oak Estates and the east line
 4-58 of said George Stansbury Survey, along the south line of said 11.750
 4-59 acre tract, 629.64 feet to the common south corner of said 11.750
 4-60 acre tract and that certain called 11.370 acre tract described as
 4-61 "Tract 5" in the deed to High Meadow 44 Joint Venture by an
 4-62 instrument of record in Document Number 2021000858, M.C.O.P.R.;

4-63 Thence, North 87° 09' 19" East, along a south line of said
 4-64 11.370 acre tract, 638.01 feet to a point for corner;

4-65 Thence, North 48° 41' 30" East, continuing along a south line
 4-66 of said 11.370 acre tract, 365.93 feet to the common south corner of
 4-67 said 11.370 acre tract and that certain called 10.000 acre tract
 4-68 described as "Tract 3" in the deed to High Meadow 44 Joint Venture
 4-69 by an instrument of record in Document Number 2021000858,

5-1 M.C.O.P.R. ;
5-2 Thence, North 53° 53' 54" East, along a south line of said
5-3 10.000 acre tract, 918.73 feet to a point for corner;
5-4 Thence, North 87° 31' 51" East, continuing along a south line
5-5 of said 10.000 acre tract, 221.08 feet to the common south corner of
5-6 said 10.000 acre tract and that certain called 16.000 acre tract
5-7 described as "Tract 2" in the deed to Frey, Inc. by an instrument of
5-8 record in Document Number 2021000585, M.C.O.P.R. ;
5-9 Thence, South 38° 13' 10" East, along a south line of said
5-10 16.000 acre tract, 352.41 feet to a point for corner;
5-11 Thence, North 87° 31' 51" East, continuing along a south line
5-12 of said 16.000 acre tract, 469.69 feet to a point for corner;
5-13 Thence, North 33° 42' 49" East, continuing along a south line
5-14 of said 16.000 acre tract, 240.31 feet to a point for corner;
5-15 Thence, North 87° 51' 34" East, continuing along a south line
5-16 of said 16.000 acre tract and the south line of that certain called
5-17 15.000 acre tract described as "Tract 1" in the deed to Frey, Inc.
5-18 by an instrument of record in Document Number 2021000585,
5-19 M.C.O.P.R., 1,148.54 feet to a point for corner;
5-20 Thence, South 33° 46' 08" East, continuing along a south line
5-21 of said 15.000 acre tract, 476.71 feet to a point for corner;
5-22 Thence, North 86° 50' 28" East, continuing along a south line
5-23 of said 15.000 acre tract, 382.67 feet to a point for corner in an
5-24 east line of the aforementioned 873.46 acre tract and the
5-25 aforementioned Jacob Eyler Survey, common to the west line of that
5-26 certain called 2.298 acre tract described in the deed to Jay R. Hill
5-27 by an instrument of record in File Number 2003-086908 of the
5-28 Official Public Records of Real Property of said Montgomery County,
5-29 Texas (M.C.O.P.R.R.P.) and the aforementioned John Pevehouse
5-30 Survey;
5-31 Thence, South 03° 09' 32" East, along an east line of said
5-32 873.46 acre tract and an east line of said Jacob Eyler Survey,
5-33 common to the west line of said 2.298 acre tract, the west line of
5-34 that certain called 26.386 acre tract described in the deed to
5-35 Badger Energy, Inc. by an instrument of record in File Number
5-36 9621262, M.C.O.P.R.R.P., the west line of that certain called
5-37 17.804 acre tract described in the deed to Juan Rueda and wife,
5-38 Catherine Rueda by an instrument of record in Document Number
5-39 2020013498, M.C.O.P.R., the west line of that certain called 20.08
5-40 acre tract described in the deed to 4148 Riley, LLC by an instrument
5-41 of record in File Number 2007-084116, M.C.O.P.R.R.P., and the west
5-42 line of said John Pevehouse Survey, 1,796.69 feet to the southwest
5-43 corner of said 20.08 acre tract, common to an easterly corner of
5-44 said 873.46 acre tract;
5-45 Thence, North 86° 52' 38" East, departing said common survey
5-46 line, along an east line of said 873.46 acre tract, common to the
5-47 south line of said 20.08 acre tract, 1,696.86 feet to an east corner
5-48 of said 873.46 acre tract, common to the southeast corner of said
5-49 20.08 acre tract, in the west right-of-way line of Farm to Market
5-50 (F.M.) 149 (width varies);
5-51 Thence, South 18° 46' 31" East, along an east line of said
5-52 873.46 acre tract, common to said west right-of-way line, 462.31
5-53 feet to an east corner of said 873.46 acre tract common to the
5-54 northeast corner of that certain called 14.000 acre tract described
5-55 in the deed to Pinehurst 149 Resources, LLC by an instrument of
5-56 record in File Number 2008-016519, M.C.O.P.R.R.P. ;
5-57 Thence, South 86° 55' 15" West, departing said west
5-58 right-of-way line, along an east line of said 873.46 acre tract,
5-59 common to the north line of said 14.000 acre tract, 1,821.31 feet to
5-60 an east corner of said 873.46 acre tract, common to the northwest
5-61 corner of said 14.000 acre tract, in an east line of the
5-62 aforementioned Jacob Eyler Survey, common to the west line of the
5-63 aforementioned John Pevehouse Survey;
5-64 Thence, South 03° 09' 32" East, along an east line of said
5-65 873.46 acre tract and an east line of said Jacob Eyler Survey,
5-66 common to the west line of said 14.000 acre tract, the west line of
5-67 that certain called 14.551 acre tract described in the deed to
5-68 Lutheran Foundation of Texas by an instrument of record in Document
5-69 Number 2014099068, M.C.O.P.R., the west line of that certain called

6-1 12.000 acre tract described in the deed to Azmi H. Attia and spouse
 6-2 Reem Y. Alfar by an instrument of record in Document Number
 6-3 2012015331, M.C.O.P.R., and the west line of the John Pevehouse
 6-4 Survey, 1,248.67 feet to an east corner of said 873.46 acre tract,
 6-5 common to the southwest corner of said 12.000 acre tract and a north
 6-6 corner of that certain called 346.305 acre tract described in the
 6-7 deed to LGI Homes Texas, LLC by an instrument of record in Document
 6-8 Number 2021016135, M.C.O.P.R.;

6-9 Thence, along the north lines of said 346.305 acre tract the
 6-10 following six (6) courses:

6-11 1. South $69^{\circ} 08' 48''$ West, 963.40 feet to a point for
 6-12 corner, the beginning of a non-tangent curve;

6-13 2. 1,535.32 feet along the arc of a non-tangent curve
 6-14 to the left, having a radius of 3750.00 feet, a central angle of 23°
 6-15 $27' 29''$, and a chord which bears North $46^{\circ} 44' 26''$ West, 1524.62 feet
 6-16 to a point for corner;

6-17 3. North $58^{\circ} 28' 10''$ West, 894.06 feet to a point for
 6-18 corner, the beginning of a non-tangent curve;

6-19 4. 745.41 feet along the arc of a non-tangent curve to
 6-20 the left, having a radius of 3,000.00 feet, a central angle of 14°
 6-21 $14' 10''$, and a chord which bears South $24^{\circ} 24' 45''$ West, 743.49 feet
 6-22 to a point for corner;

6-23 5. South $17^{\circ} 17' 40''$ West, 519.94 feet to a point for
 6-24 corner, the beginning of a tangent curve;

6-25 6. 2,483.29 feet along the arc of a tangent curve to
 6-26 the right, having a radius of 2,000.00 feet, a central angle of 71°
 6-27 $08' 28''$, and a chord which bears South $52^{\circ} 51' 53''$ West, 2,326.82
 6-28 feet to the northwest corner of said 346.593 acre tract in the west
 6-29 line of the aforementioned 873.46 acre tract, the west line of the
 6-30 aforementioned Jacob Eyler Survey, common to the east line of that
 6-31 certain called 1,444.85 acre tract described as "Tract Two" in the
 6-32 deed to Bam Houston Real Estate Investment, L.P. by an instrument of
 6-33 record in Document Number 2017108674, M.C.O.P.R. and the east line
 6-34 of the William Stansbury Survey, Abstract 508, Montgomery County,
 6-35 Texas;

6-36 Thence, North $02^{\circ} 44' 25''$ West, along a west line of said
 6-37 873.46 acre tract and a west line of said Jacob Eyler Survey, common
 6-38 to the east line of said 1,444.85 acre tract and said William
 6-39 Stansbury Survey, Abstract Number 508, 120.11 feet to a west corner
 6-40 of said 873.46 acre tract, common to the northeast corner of said
 6-41 1,444.85 acre tract, the northeast corner of said William Stansbury
 6-42 Survey, Abstract Number 508, the southeast corner of Convenient
 6-43 Country Estates Phase Two, a subdivision of record in Cabinet H,
 6-44 Sheet 79B of the Map Records of said Montgomery County, Texas, and
 6-45 the southeast corner of the William Stansbury Survey, Abstract
 6-46 Number 531, Montgomery County, Texas;

6-47 Thence, North $02^{\circ} 52' 16''$ West, along a west line of said
 6-48 873.46 acre tract and a west line of said Jacob Eyler Survey, common
 6-49 to the east line of said Convenient Country Estates Phase Two, the
 6-50 east line of said William Stansbury Survey, Abstract Number 531,
 6-51 and the east line of the Thomas Stansbury Survey, Abstract Number
 6-52 507, Montgomery County, Texas, 1,723.48 feet to a west corner of
 6-53 said 873.46 acre tract, common to the northeast corner of said
 6-54 Convenient Country Estates Phase Two and the southeast corner of
 6-55 Irongate Subdivision (unrecorded);

6-56 Thence, North $02^{\circ} 53' 24''$ West, along a west line of said
 6-57 873.46 acre tract and a west line of said Jacob Eyler Survey, common
 6-58 to the east line of said Irongate Subdivision, the east line of said
 6-59 Thomas Stansbury Survey, and the east line of the Warren Stansbury
 6-60 Survey, Abstract Number 517, Montgomery County, Texas, 1,727.79
 6-61 feet to a west corner of said 873.46 acre tract, common to the
 6-62 northeast corner of said Irongate Subdivision and the southeast
 6-63 corner of the aforementioned Shady Oak Estates;

6-64 Thence, North $02^{\circ} 52' 41''$ West, along a west line of said
 6-65 873.46 acre tract and a west line of said Jacob Eyler Survey, common
 6-66 to the east line of said Shady Oak Estates, the east line of said
 6-67 Warren Stansbury Survey and the aforementioned George Stansbury
 6-68 Survey, 860.12 feet to the POINT OF BEGINNING and containing 451.3
 6-69 acres of land.

7-1 SECTION 3. (a) The legal notice of the intention to
7-2 introduce this Act, setting forth the general substance of this
7-3 Act, has been published as provided by law, and the notice and a
7-4 copy of this Act have been furnished to all persons, agencies,
7-5 officials, or entities to which they are required to be furnished
7-6 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-7 Government Code.

7-8 (b) The governor, one of the required recipients, has
7-9 submitted the notice and Act to the Texas Commission on
7-10 Environmental Quality.

7-11 (c) The Texas Commission on Environmental Quality has filed
7-12 its recommendations relating to this Act with the governor, the
7-13 lieutenant governor, and the speaker of the house of
7-14 representatives within the required time.

7-15 (d) All requirements of the constitution and laws of this
7-16 state and the rules and procedures of the legislature with respect
7-17 to the notice, introduction, and passage of this Act are fulfilled
7-18 and accomplished.

7-19 SECTION 4. (a) If this Act does not receive a two-thirds
7-20 vote of all the members elected to each house, Subchapter C, Chapter
7-21 7930A, Special District Local Laws Code, as added by Section 1 of
7-22 this Act, is amended by adding Section 7930A.0307 to read as
7-23 follows:

7-24 Sec. 7930A.0307. NO EMINENT DOMAIN POWER. The district may
7-25 not exercise the power of eminent domain.

7-26 (b) This section is not intended to be an expression of a
7-27 legislative interpretation of the requirements of Section 17(c),
7-28 Article I, Texas Constitution.

7-29 SECTION 5. This Act takes effect immediately if it receives
7-30 a vote of two-thirds of all the members elected to each house, as
7-31 provided by Section 39, Article III, Texas Constitution. If this
7-32 Act does not receive the vote necessary for immediate effect, this
7-33 Act takes effect September 1, 2021.

7-34 * * * * *