

By: Sherman, Sr., Bell of Kaufman

H.B. No. 3469

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the disposition of certain property by the former Bois
3 D'Arc Island Levee Improvement District of Dallas and Kaufman
4 Counties and the record of dissolution of that district.

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

6 SECTION 1. (a) In this section:

7 (1) "After-discovered property" means property or
8 assets of the district that were not sold, transferred, or disposed
9 of under Section 7801.003, Special District Local Laws Code, or
10 were assigned to the district after the dissolution of the district
11 under that section.

12 (2) "District" means the former Bois D'Arc Island
13 Levee Improvement District of Dallas and Kaufman Counties.

14 (b) The commissioners courts of Dallas County and Kaufman
15 County shall issue a joint order appointing a trustee or receiver to
16 dispose of after-discovered property. The commissioners courts may
17 appoint the trustee or receiver with or without a bond or payment.

18 (c) The trustee or receiver appointed under Subsection (b)
19 of this section must:

20 (1) dispose of any after-discovered property in
21 accordance with state law that provides for the disposition or
22 disposal of property by a county; and

23 (2) receive approval from the commissioners courts of
24 Dallas County and Kaufman County before disposing of any property.

1 (d) Money made from the sale or disposition of
2 after-discovered property under this section must be used to pay
3 any liability, debt, contract, or other obligation of the district,
4 including any liability, debt, contract, or other obligation
5 incurred in the appointment of the trustee or receiver or the
6 execution of the duties of the trustee or receiver. Any remaining
7 money must be distributed equally between Dallas County and Kaufman
8 County.

9 (e) The assets of Dallas County and Kaufman County,
10 including tax revenue funds:

11 (1) may not be used by the district to pay any
12 liability, debt, contract, or other obligation of the district; and

13 (2) are not subject to any liability, debt, contract,
14 or other obligation of the district.

15 (f) Nothing in this section may be construed to constitute a
16 waiver of the immunity or defenses of Dallas County, Kaufman
17 County, or the officials, officers, employees, and agents of the
18 counties regarding a suit or liability concerning the
19 after-discovered property.

20 SECTION 2. The Texas Commission on Environmental Quality
21 shall note in its records that the district has been dissolved.

22 SECTION 3. Effective January 1, 2026, Chapter [7801](#), Special
23 District Local Laws Code, is repealed.

24 SECTION 4. This Act takes effect September 1, 2023.