

1-1 By: Shine (Senate Sponsor - Creighton) H.B. No. 5360
1-2 (In the Senate - Received from the House May 21, 2023;
1-3 May 21, 2023, read first time and referred to Committee on Local
1-4 Government; May 22, 2023, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 22, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

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

1-19 relating to the creation of the Deer Creek Ranch Municipal Utility
1-20 District No. 1; 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 7960 to read as follows:

1-26 CHAPTER 7960. DEER CREEK RANCH MUNICIPAL UTILITY DISTRICT NO. 1

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 7960.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.

1-30 (2) "Commission" means the Texas Commission on
1-31 Environmental Quality.

1-32 (3) "Director" means a board member.

1-33 (4) "District" means the Deer Creek Ranch Municipal
1-34 Utility District No. 1.

1-35 Sec. 7960.0102. NATURE OF DISTRICT. The district is a
1-36 municipal utility district created under Section 59, Article XVI,
1-37 Texas Constitution.

1-38 Sec. 7960.0103. CONFIRMATION AND DIRECTOR ELECTION
1-39 REQUIRED. The temporary directors shall hold an election to
1-40 confirm the creation of the district and to elect five permanent
1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 7960.0104. CONSENT OF MUNICIPALITY REQUIRED. The
1-43 temporary directors may not hold an election under Section
1-44 7960.0103 until each municipality in whose corporate limits or
1-45 extraterritorial jurisdiction the district is located has
1-46 consented by ordinance or resolution to the creation of the
1-47 district and to the inclusion of land in the district as required by
1-48 applicable law.

1-49 Sec. 7960.0105. 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. 7960.0106. 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. 7960.0201. GOVERNING BODY; TERMS. (a) The district is
 2-12 governed by a board of five elected directors.

2-13 (b) Except as provided by Section 7960.0202, directors
 2-14 serve staggered four-year terms.

2-15 Sec. 7960.0202. TEMPORARY DIRECTORS. (a) On or after the
 2-16 effective date of the Act enacting this chapter, the owner or owners
 2-17 of a majority of the assessed value of the real property in the
 2-18 district may submit a petition to the commission requesting that
 2-19 the commission appoint as temporary directors the five persons
 2-20 named in the petition. The commission shall appoint as temporary
 2-21 directors the five persons named in the petition.

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

2-23 (1) the date permanent directors are elected under
 2-24 Section 7960.0103; 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 7960.0103 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 7960.0103; 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. 7960.0301. 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. 7960.0302. 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. 7960.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-53 52, Article III, Texas Constitution, the district may design,
 2-54 acquire, construct, finance, issue bonds for, improve, operate,
 2-55 maintain, and convey to this state, a county, or a municipality for
 2-56 operation and maintenance macadamized, graveled, or paved roads, or
 2-57 improvements, including storm drainage, in aid of those roads.

2-58 Sec. 7960.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-59 road project must meet all applicable construction standards,
 2-60 zoning and subdivision requirements, and regulations of each
 2-61 municipality in whose corporate limits or extraterritorial
 2-62 jurisdiction the road project is located.

2-63 (b) If a road project is not located in the corporate limits
 2-64 or extraterritorial jurisdiction of a municipality, the road
 2-65 project must meet all applicable construction standards,
 2-66 subdivision requirements, and regulations of each county in which
 2-67 the road project is located.

2-68 (c) If the state will maintain and operate the road, the
 2-69 Texas Transportation Commission must approve the plans and

3-1 specifications of the road project.

3-2 Sec. 7960.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 3-3 ORDINANCE OR RESOLUTION. The district shall comply with all
 3-4 applicable requirements of any ordinance or resolution that is
 3-5 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-6 consents to the creation of the district or to the inclusion of land
 3-7 in the district.

3-8 Sec. 7960.0306. DIVISION OF DISTRICT. (a) The board, on
 3-9 its own motion or on receipt of a petition signed by the owner or
 3-10 owners of a majority of the assessed value of the real property in
 3-11 the district, may adopt an order dividing the district.

3-12 (b) An order dividing a district may create one or more new
 3-13 districts and may provide for the continuation of the district.

3-14 (c) An order dividing the district shall:

3-15 (1) name any new district;

3-16 (2) include the metes and bounds description of the
 3-17 territory of each of the districts;

3-18 (3) appoint temporary directors for any new district;
 3-19 and

3-20 (4) provide for the division of assets and liabilities
 3-21 between the districts.

3-22 (d) The board may adopt an order dividing the district
 3-23 before or after the date the board holds an election to confirm the
 3-24 district's creation.

3-25 (e) The district may be divided only if the district:

3-26 (1) has never issued any bonds; and

3-27 (2) is not imposing ad valorem taxes.

3-28 (f) A new district created by the division of the district
 3-29 may not, at the time the new district is created, contain any land
 3-30 outside the area described by Section 2 of the Act enacting this
 3-31 chapter.

3-32 (g) On or before the 30th day after the date of adoption of
 3-33 an order dividing the district, the district shall file the order
 3-34 with the commission and record the order in the real property
 3-35 records of each county in which the district is located.

3-36 (h) This chapter applies to any new district created by the
 3-37 division of the district, and a new district has all the powers and
 3-38 duties of the district.

3-39 (i) A new district created by the division of the district
 3-40 shall hold a confirmation and directors' election.

3-41 (j) If the creation of the new district is confirmed, the
 3-42 new district shall provide the election date and results to the
 3-43 commission.

3-44 (k) A new district created by the division of the district
 3-45 must hold an election as required by this chapter to obtain voter
 3-46 approval before the district may impose a maintenance tax or issue
 3-47 bonds payable wholly or partly from ad valorem taxes.

3-48 (l) The district may continue to rely on confirmation,
 3-49 directors', bond, or tax elections held prior to the division.

3-50 (m) Municipal consent to the creation of the district and to
 3-51 the inclusion of land in the district acts as municipal consent to
 3-52 the creation of any new district created by the division of the
 3-53 district and to the inclusion of land in the new district.

3-54 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-55 Sec. 7960.0401. 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 7960.0403.

3-60 (b) The district must hold an election in the manner
 3-61 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-62 before the district may impose an ad valorem tax or issue bonds
 3-63 payable from ad valorem taxes.

3-64 (c) The district may not issue bonds payable from ad valorem
 3-65 taxes to finance a road project unless the issuance is approved by a
 3-66 vote of a two-thirds majority of the district voters voting at an
 3-67 election held for that purpose.

3-68 Sec. 7960.0402. OPERATION AND MAINTENANCE TAX. (a) If
 3-69 authorized at an election held under Section 7960.0401, the

4-1 district may impose an operation and maintenance tax on taxable
 4-2 property in the district in accordance with Section 49.107, Water
 4-3 Code.

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

4-6 Sec. 7960.0403. CONTRACT TAXES. (a) In accordance with
 4-7 Section 49.108, Water Code, the district may impose a tax other than
 4-8 an operation and maintenance tax and use the revenue derived from
 4-9 the tax to make payments under a contract after the provisions of
 4-10 the contract have been approved by a majority of the district voters
 4-11 voting at an election held for that purpose.

4-12 (b) A contract approved by the district voters may contain a
 4-13 provision stating that the contract may be modified or amended by
 4-14 the board without further voter approval.

4-15 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-16 Sec. 7960.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 4-17 OBLIGATIONS. The district may issue bonds or other obligations
 4-18 payable wholly or partly from ad valorem taxes, impact fees,
 4-19 revenue, contract payments, grants, or other district money, or any
 4-20 combination of those sources, to pay for any authorized district
 4-21 purpose.

4-22 Sec. 7960.0502. TAXES FOR BONDS. At the time the district
 4-23 issues bonds payable wholly or partly from ad valorem taxes, the
 4-24 board shall provide for the annual imposition of a continuing
 4-25 direct ad valorem tax, without limit as to rate or amount, while all
 4-26 or part of the bonds are outstanding as required and in the manner
 4-27 provided by Sections 54.601 and 54.602, Water Code.

4-28 Sec. 7960.0503. BONDS FOR ROAD PROJECTS. At the time of
 4-29 issuance, the total principal amount of bonds or other obligations
 4-30 issued or incurred to finance road projects and payable from ad
 4-31 valorem taxes may not exceed one-fourth of the assessed value of the
 4-32 real property in the district.

4-33 SECTION 2. The Deer Creek Ranch Municipal Utility District
 4-34 No. 1 initially includes all the territory contained in the
 4-35 following area:

4-36 A 685.400 ACRE TRACT OF LAND SITUATED IN THE THOMAS POLK
 4-37 SURVEY, ABSTRACT NO. 703, THE HENRY ASKEW SURVEY, ABSTRACT NO. 35,
 4-38 ABSTRACT NO. 703, THE HENRY ASKEW SURVEY, ABSTRACT NO. 396, THE
 4-39 SAMUEL W. DAVIS SURVEY, ABSTRACT NO. 1087 AND THE SAMUEL W. DAVIS
 4-40 SURVEY, ABSTRACT NO. 165, LOCATED IN BELL COUNTY, TEXAS AND
 4-41 McCLENNAN COUNTY, TEXAS AND BEING A PORTION OF A CALLED 730.417 ACRE
 4-42 TRACT OF LAND CONVEYED TO VWB TRUST BY INSTRUMENTS RECORDED IN
 4-43 DOCUMENT NO. 20160034747 OF THE OFFICIAL PPUBLIC RECORDS OF BELL
 4-44 COUNTY, TEXAS AND IN DOCUMENT NO. 2016029961 OF THE OFFICIAL PUBLIC
 4-45 RECORDS OF McCLENNAN COUNTY, TEXAS. SAID 685.400 ACRE TRACT BEING
 4-46 MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH
 4-47 AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS
 4-48 COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

4-49 BEGINNING at a 1/2" iron rod found on a point being the
 4-50 northeast corner of said 730.417-acre tract of land, for the
 4-51 northeast corner and POINT OF BEGINNING hereof;

4-52 THENCE with the east boundary line of said 730.417-acre
 4-53 tract, the following three (3) courses and distances:

4-54 1. S 29°39'16" E for a distance of 23.01 feet to an angle point
 4-55 hereof,

4-56 2. S 29°37'25" E for a distance of 486.87 feet to an angle point
 4-57 hereof, and

4-58 3. S 29°29'03" E for a distance of 493.85 feet to a point being the
 4-59 northeast corner of a called 5.525-acre tract of land conveyed to
 4-60 Larry Pietsch et ux, by instrument recorded in Document
 4-61 No. 2010000488 of the Official Public Records of Falls County,
 4-62 Texas, for an angle point hereof;

4-63 THENCE with the north boundary line of said 5.525-acre tract,
 4-64 the following two (2) courses and distances:

4-65 1. S 57°58'39" W for a distance of 542.26 feet to an angle point
 4-66 hereof, and

4-67 2. S 56°02'27" W for a distance of 58.49 feet to a point being the
 4-68 northwest corner of said 5.525-acre tract, for an angle point
 4-69 hereof;

5-1 THENCE with west boundary line of said 5.525-acre tract,
5-2 S 32°56'37" E for a distance of 396.46 feet to a point being the
5-3 northwest corner of a called 5.075-acre tract of land conveyed to
5-4 Larry Pietsch et ux, by instrument recorded in Document no.
5-5 2010000485 of the Official Public Records of Falls County, Texas,
5-6 same being the southwest corner of said 5.525-acre tract, for an
5-7 angle point hereof;

5-8 THENCE with the west boundary line of said 5.075-acre tract,
5-9 S 14°23'05" E for a distance of 363.73 feet to a point being the
5-10 southwest corner of said 5.075-acre tract for an angle point
5-11 hereof;

5-12 THENCE with the south boundary line of said 5.075-acre tract
5-13 N 59°41'47" E for a distance of 143.92 feet to a point in the
5-14 approximate west boundary line of Falls County, Texas, same being
5-15 the approximate east boundary line of Bell County, Texas, for an
5-16 angle point hereof;

5-17 THENCE departing the south boundary line of said 5.075-acre
5-18 tract with the approximate west boundary line of Falls County,
5-19 Texas, same being the approximate east boundary line of Bell
5-20 County, Texas and through the interior of said 730.417 acre tract,
5-21 S 32°52'48" E for a distance of 2076.93 feet to a point in the north
5-22 right-of-way line of County Road 498 (right-of-way width varies),
5-23 same being the southern boundary line of said 730.417-acre tract
5-24 for the southeast corner hereof;

5-25 THENCE with the north right-of-way line of County Road 498,
5-26 same being the southern boundary line of said 730.417-acre tract,
5-27 the following six (6) courses and distances:

5-28 1. S 59°45'11" W for a distance of 307.98 feet to a point
5-29 2. S 56°40'31" W for a distance of 452.77 feet to an angle point
5-30 hereof,
5-31 3. S 59°50'03" W for a distance of 818.71 feet to an angle point
5-32 hereof,
5-33 4. S 59°28'26" W for a distance of 725.73 feet to an angle point
5-34 hereof,
5-35 5. S 59°11'05" W for a distance of 653.72 feet to 1/2" iron rod
5-36 found on a point, for an angle point hereof, and
5-37 6. S 15°31'38" W for a distance of 522.86 feet to a 1/2" iron rod
5-38 found on a point being the northeasterly corner of a called 125-acre
5-39 tract of land conveyed to Jackie Elizabeth Bounds, et al by
5-40 instrument recorded on Document No. 2020014897 of the Official
5-41 Public Records of Bell County, Texas, same being a southeasterly
5-42 corner of said 730.417-acre tract, for a southeasterly corner
5-43 hereof;

5-44 THENCE with the northerly boundary line of said 125-acre
5-45 tract, same being the southerly boundary line of said 730.417-acre
5-46 tract, the following four (4) courses and distances:

5-47 1. N 68°17'07" W for a distance of 1982.29 feet to an angle point
5-48 hereof,
5-49 2. S 20°13'41" W for a distance of 1194.63 feet to a 1/2" iron rod
5-50 found on an angle point hereof,
5-51 3. N 70°00'40" W for a distance of 1040.46 feet to a 1/2" iron rod
5-52 found on an angle point hereof, and
5-53 4. S 20°16'01" W for a distance of 913.53 feet to a point in the
5-54 north boundary line of called 50.00-acre tract of land conveyed to
5-55 Howard Thomas Daye and Glenda Marie Daye, by instrument recorded in
5-56 Document No. 20085002539 of the Official Public Records of Bell
5-57 County, Texas, same being the southwesterly corner of said 125-acre
5-58 tract, for an angle point hereof;

5-59 THENCE with, in part, the northerly boundary lines of: said
5-60 50.002-acre tract, a called 9.68-acre tract conveyed to Arthur
5-61 Poston, by instrument recorded in Volume 5990, Page 314 of the
5-62 Probate Records of Bell County, Texas and a called 64-acre tract of
5-63 land conveyed to John D. Price and Vi Price, by instrument recorded
5-64 in Volume 3324, Page 204 of the Deed Records of Bell County, Texas,
5-65 respectively, same being the southerly boundary line of said
5-66 730.417-acre tract, N 69°43'06" W for a distance of 1577.88 feet to
5-67 a 1/2" iron rod found on a point in the southeasterly boundary line
5-68 of a called 89.5-acre tract of land conveyed to the H.B. Hillyard,
5-69 Jr. and Julia I. Hillyard Revocable Living Trust, by instrument

6-1 recorded in Volume 1845, Page 808 of the Deed Records of McClennan
6-2 County, Texas, for an angle point hereof;

6-3 THENCE with the southeasterly boundary line of said 89.5-acre
6-4 tract, same being the southerly boundary line of said 730.417-acre
6-5 tract, N 57°14'15" E for a distance of 1017.80 feet to a 1/2" iron
6-6 rod found on a point being the northeast corner of said 89.5-acre
6-7 tract, for an angle point hereof;

6-8 THENCE with the northerly boundary line of said 89.5-acre
6-9 tract, same being the southerly boundary line of said 730.417-acre
6-10 tract, N 73°22'08" W for a distance of 2682.51 feet to a to a 1/2"
6-11 iron rod found on a point in the easterly right-of-way of Neal Road
6-12 (right-of-way width varies), said point being the northwest corner
6-13 of said 89.5-acre tract, same being the southwesterly corner of
6-14 said 730.417-acre tract, for the southwesterly corner hereof;

6-15 THENCE with the easterly right-of-way line of said Neal Road,
6-16 same being the westerly boundary line of said 730.417-acre tract,
6-17 the following two (2) courses and distances:

6-18 N 16°44'59" E for a distance of 641.51 feet to an angle
6-19 point hereof, and
6-20 N 16°43'27" E for a distance of 1649.96 feet to a 1/2:"
6-21 iron rod found on a point in the southerly margin of Franklin
6-22 Road, said point being the northwest corner of said
6-23 730.417-acre tract, for the northwest corner hereof;

6-24 THENCE with the southerly margin of said Franklin Road, same
6-25 being the northwesterly boundary line of said 730.417-acre tract,
6-26 the following three (3) courses and distances:

6-27 1. N 88°45'56" E for a distance of 1956.89 feet to an angle point
6-28 hereof,
6-29 2. S 89°44'59" E for a distance of 1153.82 feet to a 1/2" iron rod
6-30 found on for an angle point hereof, and
6-31 3. N 59°40'59" E for a distance of 1208.65 feet to an angle point
6-32 hereof;

6-33 THENCE departing the southerly margin of Franklin Road,
6-34 through the interior of said 730.417-acre tract, S 61°17'12" E for a
6-35 distance of 29.19 feet to a point being the northwesterly corner of
6-36 a called 10.00-acre tract of land conveyed to Kimberly Worthington,
6-37 by instrument recorded in Document No. 2021020842 of the Official
6-38 Public Records of McClennan County, Texas, for an angle point
6-39 hereof;

6-40 THENCE with the westerly, southerly and easterly boundary
6-41 lines, respectively, of said 10.00-acre tract the following twelve
6-42 (12) courses and distances:

6-43 1. S 61°17'12" E for a distance of 324.55 feet to an angle point
6-44 hereof,
6-45 2. N 06°20'39" E for a distance of 80.42 feet to an angle point
6-46 hereof,
6-47 3. N 57°20'12" E for a distance of 81.81 feet to an angle point
6-48 hereof,
6-49 4. S 23°32'20" E for a distance of 67.80 feet to an angle point
6-50 hereof,
6-51 5. S 08°42'13" E for a distance of 181.25 feet to an angle point
6-52 hereof,
6-53 6. N 39°25'15" E for a distance of 103.44 feet to an angle point
6-54 hereof,
6-55 7. S 22°37'59" E for a distance of 186.24 feet to an angle point
6-56 hereof,
6-57 8. N 57°23'30" E for a distance of 88.53 feet to an angle point
6-58 hereof,
6-59 9. S 29°10'57" E for a distance of 72.30 feet to an angle point
6-60 hereof,
6-61 10. N 59°40'57" E for a distance of 20.00 feet to an angle point
6-62 hereof,
6-63 11. N 59°40'57" E for a distance of 489.21 feet to an angle point
6-64 hereof, and
6-65 12. N 30°19'01" W for a distance of 663.75 feet to a point being the
6-66 northeasterly corner of said 10.00-acre tract for an angle point
6-67 hereof;

6-68 THENCE departing the boundary line of said 10.00-acre tract,
6-69 through the interior of said 730.417-acre tract, N 30°19'01" W for a

7-1 distance of 25.02 feet to a point in the southerly margin of
7-2 Franklin Road, same being the northwesterly boundary line of said
7-3 730.417-acre tract, the following three (3) courses and distances:
7-4 1. N 59°40'59" E for a distance of 701.97 feet to an angle point
7-5 hereof,
7-6 2. N 60°40'09" E for a distance of 1305.59 feet to an angle point
7-7 hereof, and
7-8 3. N 60°36'34" E for a distance of 617.98 feet to a point to the
7-9 POINT OF BEGINNING and containing 685.400 acres in the McClennan
7-10 County, Texas and Bell County, Texas. Said tract being described in
7-11 accordance with a survey prepared under Job No. 59012-22 by
7-12 Pape-Dawson Engineers, Inc.

7-13 SECTION 3. (a) The legal notice of the intention to
7-14 introduce this Act, setting forth the general substance of this
7-15 Act, has been published as provided by law, and the notice and a
7-16 copy of this Act have been furnished to all persons, agencies,
7-17 officials, or entities to which they are required to be furnished
7-18 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-19 Government Code.

7-20 (b) The governor, one of the required recipients, has
7-21 submitted the notice and Act to the Texas Commission on
7-22 Environmental Quality.

7-23 (c) The Texas Commission on Environmental Quality has filed
7-24 its recommendations relating to this Act with the governor, the
7-25 lieutenant governor, and the speaker of the house of
7-26 representatives within the required time.

7-27 (d) All requirements of the constitution and laws of this
7-28 state and the rules and procedures of the legislature with respect
7-29 to the notice, introduction, and passage of this Act are fulfilled
7-30 and accomplished.

7-31 SECTION 4. (a) If this Act does not receive a two-thirds
7-32 vote of all the members elected to each house, Subchapter C, Chapter
7-33 7960, Special District Local Laws Code, as added by Section 1 of
7-34 this Act, is amended by adding Section 7960.0307 to read as follows:
7-35 Sec. 7960.0307. NO EMINENT DOMAIN POWER. The district may
7-36 not exercise the power of eminent domain.

7-37 (b) This section is not intended to be an expression of a
7-38 legislative interpretation of the requirements of Section 17(c),
7-39 Article I, Texas Constitution.

7-40 SECTION 5. This Act takes effect immediately if it receives
7-41 a vote of two-thirds of all the members elected to each house, as
7-42 provided by Section 39, Article III, Texas Constitution. If this
7-43 Act does not receive the vote necessary for immediate effect, this
7-44 Act takes effect September 1, 2023.

7-45 * * * * *