

By: Kitzman

H.B. No. 5437

A BILL TO BE ENTITLED

AN ACT

relating to the validation of the creation of and certain acts of the Austin County Municipal Utility District No. 1.

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

SECTION 1. (a) The creation of the Austin County Municipal Utility District No. 1 and all acts and proceedings related to the creation of the district, effective as of the date on which the creation or related acts or proceedings occurred, are validated and confirmed in all respects, including:

(1) any act or proceeding of the temporary directors of the Austin County Municipal Utility District No. 1 appointed by or under Section 7913A.0202, Special District Local Laws Code, taken not more than five years before the effective date of this Act, including an order calling for an election to confirm and establish the district, to elect permanent directors, and to approve the issuance of bonds and the imposition of ad valorem taxes;

(2) all orders canvassing and declaring results of the district election held on November 2, 2021, including confirming the creation and establishment of the district, electing five permanent directors, and approving the issuance of water, sewage, drainage, and road bonds and the imposition of ad valorem taxes; and

(3) each proposition passed at the district election held on November 2, 2021.

(b) This section does not apply to:

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

(2) an act or proceeding that has been held invalid by a final judgment of a court of competent jurisdiction.

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

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

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

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2025.