

By: Eiland

H.B. No. 924

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to extending the boundaries of the Galveston County  
3 Navigation District No. 1.

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

5 SECTION 1. DEFINITION. In this Act, "district" means the  
6 Galveston County Navigation District No. 1.

7 SECTION 2. EXTENSION OF BOUNDARIES. Subject to a  
8 confirmation election held as provided by Section 4 of this Act, the  
9 boundaries of the district are extended to include all areas that,  
10 on the effective date of this Act, are within the geographical  
11 boundaries of the city of Galveston, the city of Jamaica Beach, and  
12 Galveston Island State Park and the unincorporated areas within the  
13 Galveston County Municipal Utility District No. 1 - Pirates Beach.

14 SECTION 3. FINDING OF BENEFIT. All of the land and other  
15 property included within the boundaries of the district as extended  
16 by this Act will be benefited by the works and projects that are to  
17 be accomplished by the district under powers conferred by Section  
18 59, Article XVI, Texas Constitution. The district is created to  
19 serve a public use and benefit.

20 SECTION 4. CONFIRMATION ELECTION; ORDER OF  
21 ANNEXATION. (a) The board of navigation and canal commissioners  
22 of the district shall call and hold an election to confirm the  
23 extension of the boundaries of the district under Section 2 of this  
24 Act.

1           (b) The board of navigation and canal commissioners shall  
2 conduct the election as provided by Sections 63.376-63.379, Water  
3 Code, except that:

4           (1) the election must be held so as to include all  
5 eligible voters residing in the district and in the territory  
6 described by Section 2 of this Act;

7           (2) the ballots for the election must be printed to  
8 allow for voting for or against the proposition: "Annexation to  
9 Galveston County Navigation District No. 1 of all of the area of  
10 Galveston Island not presently part of the district"; and

11           (3) if a majority of the voters voting in the election  
12 favor the annexation, the board of navigation and canal  
13 commissioners shall enter an order in its minutes annexing the  
14 additional territory to the district.

15           (c) The board of navigation and canal commissioners may  
16 order the election held on the date of the general election of state  
17 and county officers, jointly with the general election, in the  
18 manner provided by Section 63.0895, Water Code.

19           (d) On and after the entry of the order required by  
20 Subsection (b)(3) of this section, the annexed territory is a part  
21 of the district for all purposes.

22           (e) Before the entry of the order required by Subsection  
23 (b)(3) of this section:

24           (1) property located outside the boundaries of the  
25 district, as those boundaries existed immediately before the  
26 effective date of this Act, is not subject to ad valorem taxes of  
27 the district;

1           (2) voters of the territory located outside the  
2 boundaries of the district, as those boundaries existed immediately  
3 before the effective date of this Act, may not vote in an election  
4 for navigation and canal commissioners of the district; and

5           (3) to qualify as a candidate for election as a  
6 navigation and canal commissioner, a person must reside inside the  
7 boundaries of the district, as those boundaries existed immediately  
8 before the effective date of this Act.

9           (f) If the order required by Subsection (b)(3) of this  
10 section is not entered before the fifth anniversary of the  
11 effective date of this Act, this Act expires.

12           SECTION 5. EFFECTIVE DATE. This Act takes effect  
13 immediately if it receives a vote of two-thirds of all the members  
14 elected to each house, as provided by Section 39, Article III, Texas  
15 Constitution. If this Act does not receive the vote necessary for  
16 immediate effect, this Act takes effect September 1, 2003.

COMMITTEE AMENDMENT NO. 1

Amend H.B. 924 as follows:

(1) On page 3, after line 11, insert:

SECTION 5. EFFECT ON OWNERSHIP OF SUBMERGED LAND. Nothing in this Act shall be construed to:

(1) grant ownership or control of any state-owned submerged land within the expanded boundaries of the district to the navigation district; or

(2) limit or otherwise affect the authority of the State of Texas, or anyone claiming under the State of Texas, to enter or possess state-owned submerged land for the purpose of exploring for oil, gas, or other minerals within or near the expanded boundaries.

(2) On page 3, line 12, strike "5" and substitute "6"

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