

By: Hamric

H.B. No. 1385

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the validation of any act, governmental proceeding,
3 official, bond, or obligation of a navigation district or port
4 authority.

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

6 SECTION 1. DEFINITION. In this Act, "district" means a
7 navigation district or port authority created under Section 52,
8 Article III, or Section 59, Article XVI, Texas Constitution, or
9 other public port authority.

10 SECTION 2. VALIDATION. The following are validated and
11 confirmed in all respects:

12 (1) any act or governmental proceeding of a district
13 not excepted in this Act taken before March 1, 2003, is validated as
14 of the date on which it occurred;

15 (2) any commissioner or other official of a district,
16 whether elected or appointed, who took office before the effective
17 date of this Act; and

18 (3) any bond or other obligation of a district
19 authorized before the effective date of this Act, including any
20 proceeding taken before the effective date of this Act that is
21 related to that bond or other obligation, regardless of whether the
22 bond or obligation is:

23 (A) payable from tax revenue or otherwise; or

24 (B) issued on or before the effective date of

1 this Act.

2 SECTION 3. APPLICABILITY. (a) Section 2 of this Act does
3 not apply to:

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

8 (2) an act or proceeding relating to the conveyance by
9 a district of any interest in real property that had originally been
10 patented or otherwise conveyed to the district by the state if the
11 act or proceeding by the district violated a restriction or
12 condition of the patent or other conveyance from the state; or

13 (3) an act or proceeding that violated Section 61.117,
14 Water Code.

15 (b) This Act does not validate any governmental act or
16 proceeding that, under the law of this state at the time the act or
17 proceeding occurred, was a misdemeanor or a felony.

18 SECTION 4. EFFECTIVE DATE. This Act takes effect
19 September 1, 2003.