

By: Davis of Harris

H.B. No. 3576

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of the Harris County Road Improvement
3 District No. 1; providing authority to impose a tax and issue bonds.

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

5 SECTION 1. CREATION OF DISTRICT. (a) Harris County Road
6 Improvement District No. 2 is created as a special district under
7 Section 52, Article III, and Section 59, Article XVI, Texas
8 Constitution.

9 (b) The board by resolution may change the district's name.

10 SECTION 2. DECLARATION OF INTENT. (a) The creation of the
11 district is necessary to promote, develop, encourage, and maintain
12 transportation, safety, employment, commerce, housing, tourism,
13 recreation, the arts, entertainment, economic development, and the
14 public welfare in the area of the district.

15 (b) The creation of the district is essential to accomplish
16 the purposes of Sections 52 and 52-a, Article III, and Section 59,
17 Article XVI, Texas Constitution, and other public purposes stated
18 in this Act.

19 SECTION 3. DEFINITIONS. In this Act:

20 (1) "Board" means the board of directors of the
21 district.

22 (2) "District" means Harris County Road Improvement
23 District No. 2.

24 SECTION 4. BOUNDARIES. The district includes all the

1 territory contained in the following described area:

2 ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 180.2467 ACRES
3 (7,851,544 SQUARE FEET) SITUATED IN THE WILLIAM K. SMITH SURVEY,
4 ABSTRACT NO. 735, HARRIS COUNTY, TEXAS, AND BEING A PORTION OF LOTS
5 3 THROUGH 14 AND LOTS 18 THROUGH 29, OF RHODES AND SMITH
6 SUBDIVISION, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE
7 MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 4 OF THE MAP RECORDS
8 OF HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY
9 METES AND BOUNDS AS FOLLOWS: (BEARINGS BASED ON TEXAS STATE PLANE
10 COORDINATE SYSTEM, SOUTH CENTRAL ZONE)

11 BEGINNING AT A 5/8 INCH CAPPED IRON ROD SET MARKING THE INTERSECTION
12 OF THE NORTHEAST RIGHT-OF-WAY LINE OF BEAMER ROAD (100 FEET WIDE)
13 WITH THE NORTHWEST RIGHT-OF-WAY LINE OF DIXIE FARM ROAD (R.O.W.
14 VARIES);

15 THENCE NORTH 48 DEGREES 32 MINUTES 30 SECONDS WEST ALONG THE
16 NORTHEAST RIGHT-OF-WAY LINE OF SAID BEAMER ROAD, A DISTANCE OF
17 2004.88 FEET TO A 5/8 INCH CAPPED IRON ROD SET FOR THE MOST WESTERLY
18 CORNER OF THE HEREIN DESCRIBED TRACT AND THE SOUTH CORNER OF SAN
19 JACINTO COLLEGE SOUTH CAMPUS, SECTION 1, ACCORDING TO THE MAP OR
20 PLAT THEREOF RECORDED UNDER FILM CODE NO. 366077 OF THE MAP RECORDS
21 OF HARRIS COUNTY, TEXAS, FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS
22 NORTH 34 DEGREES 11 MINUTES 37 SECONDS EAST, 0.62 FEET;

23 THENCE NORTH 41 DEGREES 26 MINUTES 13 SECONDS EAST IN PART WITH THE
24 SOUTHEAST LINE OF SAID SAN JACINTO COLLEGE SOUTH CAMPUS, SECTION 1,
25 AT A DISTANCE OF 2549.33 FEET PASS THE NORTHEAST CORNER OF SAID SAN
26 JACINTO COLLEGE SOUTH CAMPUS, SECTION 1, IN ALL A TOTAL DISTANCE OF
27 3658.09 FEET, (CALLED 3656.93 FEET) TO A 5/8 INCH CAPPED IRON ROD

1 SET FOR THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND
2 BEING IN THE SOUTH LINE OF SCARSDALE SUBDIVISION SECTION THREE (3)
3 ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 188, PAGE 78
4 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING ON THE NORTH
5 LINE OF WILLIAM K. SMITH SURVEY, A-735 AND THE SOUTH LINE OF A.
6 WHITLOCK SURVEY A-795;
7 THENCE NORTH 86 DEGREES 37 MINUTES 52 SECONDS EAST ALONG THE SOUTH
8 LINE OF SAID SCARSDALE, SECTION 3, THE NORTH LINE OF THE HEREIN
9 DESCRIBED TRACT AND THE COMMON LINE OF SAID WHITLOCK ABSTRACT AND
10 SMITH ABSTRACT, A DISTANCE OF 326.15 FEET, (CALLED 326.77 FEET) TO A
11 5/8 INCH IRON ROD FOUND FOR THE EASTERLY NORTHEAST CORNER OF THE
12 HEREIN DESCRIBED TRACT AND BEING THE COMMON CORNER OF LOT 18 AND LOT
13 17 OF SAID RHODES AND SMITH SUBDIVISION;
14 THENCE SOUTH 48 DEGREES 31 MINUTES 43 SECONDS EAST ALONG THE COMMON
15 LINE OF SAID LOTS 18 AND 17 AND THE COMMON LINES OF LOTS 14 AND 15, 2
16 AND 3, A DISTANCE OF 1775.68 FEET TO A 5/8 INCH CAPPED IRON ROD SET
17 MARKING THE EAST CORNER OF THE HEREIN DESCRIBED TRACT IN THE
18 NORTHWEST RIGHT-OF-WAY LINE OF SAID DIXIE FARM ROAD, FROM WHICH A PK
19 NAIL FOUND IN FENCE POST BEARS SOUTH 72 DEGREES 03 MINUTES 08
20 SECONDS WEST, 3.31 FEET;
21 THENCE ALONG THE NORTHWEST LINE OF SAID DIXIE FARM ROAD AND THE
22 SOUTHEAST LINE OF THE HEREIN DESCRIBED TRACT WITH THE FOLLOWING
23 COURSES AND DISTANCES:
24 SOUTH 41 DEGREES 26 MINUTES 50 SECONDS WEST A DISTANCE OF 23.97 FEET
25 TO A 5/8 INCH IRON ROD FOUND FOR THE BEGINNING OF A CURVE TO THE
26 LEFT;
27 THENCE IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE LEFT HAVING

1 A RADIUS OF 2110.00 FEET, A CENTRAL ANGLE OF 03 DEGREES 58 MINUTES
2 21 SECONDS, AN ARC LENGTH OF 146.29 FEET, HAVING A CHORD BEARING AND
3 DISTANCE OF SOUTH 39 DEGREES 28 MINUTES 52 SECONDS WEST, 146.26 FEET
4 TO A 5/8 INCH CAPPED IRON ROD SET FOR THE END OF SAID CURVE;
5 SOUTH 37 DEGREES 29 MINUTES 42 SECONDS WEST A DISTANCE OF 553.09
6 FEET TO AN "X" CUT IN CONCRETE FOUND FOR THE BEGINNING OF A CURVE TO
7 THE RIGHT;
8 THENCE IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE RIGHT
9 HAVING A RADIUS OF 1890.00 FEET, A CENTRAL ANGLE OF 03 DEGREES 54
10 MINUTES 17 SECONDS, AN ARC LENGTH OF 128.80 FEET, HAVING A CHORD
11 BEARING AND DISTANCE OF SOUTH 39 DEGREES 27 MINUTES 06 SECONDS WEST,
12 128.77 FEET TO A POINT MARKING THE END OF SAID CURVE, FROM WHICH A
13 5/8 INCH IRON ROD FOUND BEARS SOUTH 58 DEGREES 14 MINUTES 34 SECONDS
14 EAST 0.37 FEET;
15 SOUTH 41 DEGREES 23 MINUTES 58 SECONDS WEST A DISTANCE OF 804.93
16 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE BEGINNING OF A CURVE TO THE
17 RIGHT;
18 THENCE IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE RIGHT
19 HAVING A RADIUS OF 1890.00 FEET, A CENTRAL ANGLE OF 04 DEGREES 01
20 MINUTES 59 SECONDS, AN ARC LENGTH OF 133.04 FEET, HAVING A CHORD
21 BEARING AND DISTANCE OF SOUTH 43 DEGREES 25 MINUTES 11 SECONDS WEST,
22 133.01 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE END OF SAID CURVE;
23 SOUTH 45 DEGREES 26 MINUTES 00 SECONDS WEST, A DISTANCE OF 570.08
24 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE LEFT, FROM WHICH
25 A 5/8 INCH IRON ROD FOUND BEARS NORTH 53 DEGREES 42 MINUTES 32
26 SECONDS EAST, 0.38 FEET;
27 THENCE IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE LEFT HAVING

1 A RADIUS OF 2110.00 FEET, A CENTRAL ANGLE OF 03 DEGREES 57 MINUTES
2 55 SECONDS, AN ARC LENGTH OF 146.03 FEET, HAVING A CHORD BEARING AND
3 DISTANCE OF SOUTH 43 DEGREES 26 MINUTES 59 SECONDS WEST, 146.00 FEET
4 TO A 5/8 INCH IRON ROD FOUND FOR THE END OF SAID CURVE;
5 THENCE SOUTH 41 DEGREES 28 MINUTES 06 SECONDS WEST A DISTANCE OF
6 1384.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 180.2467
7 ACRES (7,851,544 SQUARE FEET) OF LAND.

8 THE ABOVE DESCRIBED LEGAL DESCRIPTION OF 180.2467 ACRES CONTAINS
9 4.4627 ACRES (194,395 SQUARE FEET) WITHIN THE 50 FOOT ROAD
10 RIGHT-OF-WAY AND 11.8051 ACRES (514,232 SQUARE FEET) WITHIN THE
11 LIMITS OF THE PIPELINE EASEMENTS SHOWN HEREON.

12 ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 35.7561 ACRES
13 (1,557,535 SQUARE FEET) SITUATED IN THE WILLIAM K. SMITH SURVEY,
14 ABSTRACT NO. 735, HARRIS COUNTY, TEXAS, AND BEING A PORTION OF LOTS
15 20 THROUGH 27 OF RHODES AND SMITH SUBDIVISION, AN ADDITION IN HARRIS
16 COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN
17 VOLUME 1, PAGE 4 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND
18 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
19 (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH
20 CENTRAL ZONE)

21 COMMENCING AT A 5/8 INCH CAPPED IRON ROD SET MARKING THE
22 INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF BEAMER ROAD (100
23 FEET WIDE) WITH THE NORTHWEST RIGHT-OF-WAY LINE OF DIXIE FARM ROAD
24 (R.O.W. VARIES);

25 THENCE NORTH 48 DEGREES 32 MINUTES 30 SECONDS WEST ALONG THE
26 NORTHEAST RIGHT-OF-WAY LINE OF SAID BEAMER ROAD, A DISTANCE OF
27 1266.98 FEET TO A 5/8 INCH CAPPED IRON ROD SET FOR THE MOST

1 SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND BEING ON THE
2 NORTHWESTERLY LINE OF A 50 FOOT WIDE UN-NAMED ROAD RIGHT-OF-WAY AS
3 SHOWN ON SAID PLAT OF RHODES AND SMITH SUBDIVISION, RECORDED IN
4 VOLUME 1, PAGE 4 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS
5 THENCE NORTH 48 DEGREES 32 MINUTES 30 SECONDS WEST CONTINUING ALONG
6 THE NORTHEAST RIGHT-OF-WAY LINE OF SAID BEAMER ROAD, A DISTANCE OF
7 737.98 FEET TO A 5/8 INCH CAPPED IRON ROD FOUND FOR THE MOST
8 WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND BEING THE SOUTH
9 CORNER OF SAN JACINGO COLLEGE SOUTH CAMPUS, SECTION 1, ACCORDING TO
10 THE MAP OR PLAT THEREOF RECORDED UNDER FILM CODE NO. 366077 OF THE
11 MAP RECORDS OF HARRIS COUNTY, TEXAS, FROM WHICH A 1/2 INCH IRON ROD
12 FOUND BEARS NORTH 34 DEGREES 11 MINUTES 37 SECONDS EAST, 0.62 FEET;
13 THENCE NORTH 41 DEGREES 26 MINUTES 13 SECONDS EAST WITH THE
14 SOUTHEAST LINE OF SAID SAN JACINTO COLLEGE SOUTH CAMPUS, SECTION 1,
15 AT A DISTANCE OF 2024.51 FET TO A 5/8 INCH CAPPED IRON ROD SET FOR
16 THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND BEING
17 IN THE SOUTHERLY LINE OF A 30 FOOT WIDE GATHERING LINE EASEMENT (NOT
18 RECORDED);
19 THENCE SOUTH 62 DEGREES 02 MINUTES 16 SECONDS EAST ALONG THE
20 SOUTHERLY LINE OF SAID 30 FOOT WIDE GATHERING LINE EASEMENT (NOT
21 RECORDED) A DISTANCE OF 325.02 FEET TO A 5/8 INCH IRON CAPPED IRON
22 ROD SET FOR AN ANGLE POINT IN SAID LINE;
23 THENCE SOUTH 60 DEGREES 20 MINUTES 43 SECONDS EAST CONTINUING ALONG
24 THE SOUTHERLY LINE OF SAID 30 FOOT WIDE GATHERING LINE EASEMENT (NOT
25 RECORDED) A DISTANCE OF 297.44 FEET TO A 5/8 INCH CAPPED IRON ROD
26 SET FOR AN ANGLE POINT IN SAID LINE;
27 THENCE SOUTH 58 DEGREES 45 MINUTES 28 SECONDS EAST CONTINING ALONG

1 THE SOUTHERLY LINE OF SAID 30 FOOT WIDE GATHERING LINE EASEMENT (NOT
2 RECORDED) A DISTANCE OF 134.04 FEET TO A 5/8 INCH CAPPED IRON ROD
3 SET FOR THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT ALSO
4 BEING IN THE NORTHWESTERLY LINE OF SAID 50 FOOT WIDE UN-NAMED ROAD
5 RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF RHODES AND SMITH SUBDIVISION,
6 RECORDED IN VOLUME 1, PAGE 4 OF THE MAP RECORDS OF HARRIS COUNTY,
7 TEXAS

8 THENCE SOUTH 41 DEGREES 28 MINUTES 06 SECONDS WEST ALONG THE
9 NORTHWESTERLY LINE OF SAID 50 FOOT WIDE UN-NAMED ROAD RIGHT-OF-WAY
10 AS SHOWN ON SAID PLAT OF RHODES AND SMITH SUBDIVISION, RECORDED IN
11 VOLUME 1, PAGE 4 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, A
12 DISTANCE OF 2184.78 FEET TO THE POINT OF BEGINNING AND CONTAINING
13 35.7561 ACRES (1,557,535 SQUARE FEET) OF LAND.

14 SECTION 5. FINDINGS RELATING TO BOUNDARIES. The boundaries
15 and field notes of the district form a closure. A mistake in the
16 field notes or in copying the field notes in the legislative
17 process does not in any way affect the district's:

- 18 (1) organization, existence, or validity;
19 (2) right to issue any type of bond for the purposes
20 for which the district is created or to pay the principal of and
21 interest on a bond;
22 (3) right to impose or collect an assessment or tax; or
23 (4) legality or operation.

24 SECTION 6. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The
25 district is created to serve a public use and benefit.

26 (b) All land and other property included in the district
27 will benefit from the improvements and services to be provided by

1 the district under powers conferred by Sections 52 and 52-a,
2 Article III, and Section 59, Article XVI, Texas Constitution, and
3 other powers granted under this Act.

4 (c) The creation of the district is in the public interest
5 and is essential to:

6 (1) further the public purposes of the development
7 and diversification of the economy of the state;

8 (2) eliminate unemployment and underemployment; and

9 (3) develop or expand transportation and commerce.

10 (d) The present and prospective traffic congestion in the
11 district and the safety of pedestrians and the limited availability
12 of funds require the promotion and development of public
13 transportation and pedestrian facilities and systems, and the
14 district will serve the public purpose of securing expanded and
15 improved transportation and pedestrian facilities and systems.

16 (e) The district will:

17 (1) promote the health, safety, and general welfare of
18 residents, employers, employees, visitors, and consumers in the
19 district and of the public;

20 (2) provide needed funding to preserve, maintain, and
21 enhance the economic health and vitality of the district as a
22 community; and

23 (3) promote the health, safety, welfare, and enjoyment
24 of the public by providing pedestrian ways and by landscaping and
25 developing certain areas in the district, which are necessary for
26 the restoration, preservation, and enhancement of scenic beauty.

27 (f) Pedestrian ways along or across a street, whether at

1 grade or above or below the surface, and street lighting, street
2 landscaping, and street art objects are parts of and necessary
3 components of a street and are considered to be a street or road
4 improvement.

5 (g) The district will not act as the agent or
6 instrumentality of any private interest even though the district
7 will benefit many private interests as well as the public.

8 SECTION 7. APPLICATION OF OTHER LAW. Chapter 311,
9 Government Code (Code Construction Act), applies to this Act.

10 SECTION 8. CONSTRUCTION OF ACT. (a) This Act shall be
11 liberally construed in conformity with the findings and purposes
12 set forth in this Act.

13 (b) If any provision of the general law conflicts with this
14 Act, this Act prevails.

15 SECTION 9. BOARD OF DIRECTORS; TERMS. (a) The district is
16 governed by a board of five elected directors who serve staggered
17 terms of four years.

18 (b) Elections for directors shall be held on the uniform
19 election date in May in even-numbered years.

20 SECTION 10. QUALIFICATIONS. (a) A person must meet the
21 qualifications of Section 375.063, Local Government Code, to serve
22 as a director of the district.

23 (b) Section 49.052, Water Code, does not apply to directors
24 of the district.

25 SECTION 11. POWERS OF DISTRICT. The district has all powers
26 and authority provided by the general laws on road districts and
27 road utility districts created under Section 52, Article III, Texas

1 Constitution, and conservation and reclamation districts and
2 municipal management districts created under Section 59, Article
3 XVI, Texas Constitution, including:

4 (1) Chapters 257 and 441, Transportation Code;

5 (2) Chapter 375, Local Government Code; and

6 (3) Chapters 54 and 49, Water Code.

7 SECTION 12. AGREEMENTS; GRANTS. (a) The district may make
8 an agreement with or accept a gift, grant, or loan from any person.

9 (b) The implementation of a project is a governmental
10 function or service for the purposes of Chapter 791, Government
11 Code.

12 SECTION 13. LAW ENFORCEMENT SERVICES. To protect the
13 public interest, the district may contract with a municipality or
14 county to provide law enforcement services in the district for a
15 fee.

16 SECTION 14. AUTHORITY TO IMPOSE AD VALOREM TAXES,
17 ASSESSMENTS, AND IMPACT FEES. The district may impose an ad valorem
18 tax, assessment, or impact fee and use the proceeds of the tax,
19 assessment, or impact fee for any district purpose, including the
20 payment of debt or other contractual obligations, or the payment of
21 maintenance and operating expenses.

22 SECTION 15. ELECTIONS REGARDING TAXES OR BONDS. (a) The
23 district must hold an election in the manner provided by Chapters 54
24 and 49, Water Code, to obtain voter approval before the district may
25 impose a maintenance tax or issue bonds payable from ad valorem
26 taxes.

27 (b) The board may include more than one purpose in a single

1 proposition at an election.

2 SECTION 16. MAINTENANCE TAX. (a) The district may impose
3 an annual ad valorem tax on taxable property in the district for any
4 district purpose, including to:

5 (1) maintain and operate the district and the
6 improvements constructed or acquired by the district; or

7 (2) provide a service.

8 (b) The board shall determine the tax rate.

9 SECTION 17. ASSESSMENTS; PETITION REQUIRED FOR FINANCING
10 SERVICES AND IMPROVEMENTS. (a) The board by resolution may impose
11 and collect an assessment for any purpose authorized by this Act.

12 (b) The board may not finance a service or improvement
13 project through an assessment under this Act unless a written
14 petition requesting that service or improvement has been filed with
15 the board. The petition must be signed by:

16 (1) the owners of a majority of the assessed value of
17 real property in the district that will be subject to the assessment
18 according to the most recent certified tax appraisal roll for the
19 county in which the property is located; or

20 (2) at least 25 owners of land in the district that
21 will be subject to the assessment, if more than 25 persons own land
22 in the district that will be subject to the assessment according to
23 the most recent certified tax appraisal roll for the county in which
24 the property is located.

25 (c) An assessment, a reassessment, or an assessment
26 resulting from an addition to or correction of the assessment roll
27 by the district, penalties and interest on an assessment or

1 reassessment, an expense of collection, and reasonable attorney's
2 fees incurred by the district:

3 (1) are a first and prior lien against the property
4 assessed;

5 (2) are superior to any other lien or claim other than
6 a lien or claim for county, school district, or municipal ad valorem
7 taxes; and

8 (3) are the personal liability of and charge against
9 the owners of the property even if the owners are not named in the
10 assessment proceeding.

11 (d) The lien is effective from the date of the board's
12 resolution imposing the assessment until the date the assessment is
13 paid. The board may enforce the lien in the same manner that the
14 board may enforce an ad valorem tax lien against real property.

15 SECTION 18. OBLIGATIONS. (a) The district may issue bonds
16 or other obligations payable in whole or in part from ad valorem
17 taxes, assessments, impact fees, revenue, grants, or other money of
18 the district, or any combination of those sources of money, to pay
19 for any authorized purpose of the district.

20 (b) In exercising the district's borrowing power, the
21 district may issue a bond or other obligation in the form of a bond,
22 note, certificate of participation or other instrument evidencing a
23 proportionate interest in payments to be made by the district, or
24 other type of obligation.

25 SECTION 19. INITIAL DIRECTORS. (a) The initial board
26 consists of the following persons:

27 Name of Director

1 _____
2 _____
3 _____
4 _____
5 _____

6 (b) Of the initial directors, the terms of the first three
7 directors named in Subsection (a) expire on June 1, 2006, and the
8 terms of the last two directors named in Subsection (a) expire on
9 June 1, 2004.

10 (c) On the uniform election date in May 2004, the board
11 shall hold an election for the directors whose terms expire on June
12 1, 2004. On the uniform election date in May 2006, the board shall
13 hold an election for the directors whose terms expire on June 1,
14 2006.

15 (d) This section expires September 1, 2006.

16 SECTION 20. ADDITIONAL LEGISLATIVE FINDINGS. The
17 legislature finds that:

18 (1) proper and legal notice of the intention to
19 introduce this Act, setting forth the general substance of this
20 Act, has been published as provided by law, and the notice and a
21 copy of this Act have been furnished to all persons, agencies,
22 officials, or entities to which they are required to be furnished
23 by the constitution and laws of this state, including the governor,
24 who has submitted the notice and Act to the Texas Commission on
25 Environmental Quality;

26 (2) the Texas Commission on Environmental Quality has
27 filed its recommendations relating to this Act with the governor,

1 lieutenant governor, and speaker of the house of representatives
2 within the required time;

3 (3) the general law relating to consent by political
4 subdivisions to the creation of districts with conservation,
5 reclamation, and road powers and the inclusion of land in those
6 districts has been complied with; and

7 (4) all requirements of the constitution and laws of
8 this state and the rules and procedures of the legislature with
9 respect to the notice, introduction, and passage of this Act have
10 been fulfilled and accomplished.

11 SECTION 21. EFFECTIVE DATE. This Act takes effect
12 immediately if it receives a vote of two-thirds of all the members
13 elected to each house, as provided by Section 39, Article III, Texas
14 Constitution. If this Act does not receive the vote necessary for
15 immediate effect, this Act takes effect September 1, 2003.