

By: Wong

H.B. No. 3578

A BILL TO BE ENTITLED

AN ACT

relating to powers, duties, and name of the Upper Kirby Management District.

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

SECTION 1. The heading to Subchapter E, Chapter 376, Local Government Code, is amended to read as follows:

SUBCHAPTER E. HARRIS COUNTY IMPROVEMENT [~~UPPER KIRBY MANAGEMENT~~]
DISTRICT NO. 3

SECTION 2. Section 376.151(a), Local Government Code, is amended to read as follows:

(a) A special district to be known as the "Harris County Improvement [~~Upper Kirby Management~~] District No. 3" exists as a governmental agency, body politic and corporate, and political subdivision of the state.

SECTION 3. Section 376.153(2), Local Government Code, is amended to read as follows:

(2) "District" means the Harris County Improvement [~~Upper Kirby Management~~] District No. 3.

SECTION 4. Section 376.165, Local Government Code, is amended by adding Subsections (g) and (h) to read as follows:

(g) An assessment may be imposed on only a part of the district if only that part will benefit from the service or improvement.

(h) The board may not impose an assessment or finance a

1 service or improvement project under this subchapter unless a
2 written petition requesting the improvement or service has been
3 filed with the board. The petition must be signed by:

4 (1) the owners of a majority of the assessed value of
5 real property in the district or in the area of the district that
6 will be subject to the assessment as determined by the most recent
7 certified tax appraisal roll for Harris County; or

8 (2) at least 25 persons who own real property in the
9 district or the area of the district that will be subject to the
10 assessment, if more than 25 persons own real property in the
11 district or area that will be subject to the assessment as
12 determined by the most recent certified tax appraisal roll for
13 Harris County.

14 SECTION 5. Subchapter E, Chapter 376, Local Government
15 Code, is amended by adding Section 376.171 to read as follows:

16 Sec. 376.171. USE OF ELECTRICAL OR OPTICAL LINES. (a) The
17 district may impose an assessment to pay the cost of:

18 (1) burying or removing electrical power lines,
19 telephone lines, cable or fiber optic lines, or any other type of
20 electrical or optical line;

21 (2) removing poles and any elevated lines using the
22 poles; and

23 (3) reconnecting the lines described by Subdivision
24 (2) to the buildings or other improvements to which the lines were
25 connected.

26 (b) The district may finance, acquire, construct, improve,
27 operate, maintain, or charge fees for the use of:

1 (1) telecommunications networks, fiber-optic cable,
2 electronic transmission lines, or other types of transmission lines
3 and supporting facilities; or

4 (2) conduits for a line or facility described by
5 Subdivision (1).

6 SECTION 6. (a) The legislature validates and confirms all
7 acts and proceedings of the Harris County Improvement District No.
8 3 and the district's board of directors that occurred before the
9 effective date of this Act, including changing the district's name
10 from the "Upper Kirby Management District" to "Harris County
11 Improvement District No. 3."

12 (b) This section does not apply to any matter that on the
13 effective date of this Act:

14 (1) is involved in litigation, if the litigation
15 ultimately results in the matter being held invalid by a final
16 judgment of a court with jurisdiction; or

17 (2) has been held invalid by a court with
18 jurisdiction.

19 SECTION 7. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2003.