

1-1 By: Janek S.B. No. 553
1-2 (In the Senate - Filed February 18, 2003; February 24, 2003,
1-3 read first time and referred to Committee on Natural Resources;
1-4 March 13, 2003, reported favorably by the following vote: Yeas 11,
1-5 Nays 0; March 13, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the validation of any act, governmental proceeding,
1-9 official, bond, or obligation of a navigation district or port
1-10 authority.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. DEFINITION. In this Act, "district" means a
1-13 navigation district or port authority created under Section 52,
1-14 Article III, or Section 59, Article XVI, Texas Constitution, or
1-15 other public port authority.

1-16 SECTION 2. VALIDATION. The following are validated and
1-17 confirmed in all respects:

1-18 (1) any act or governmental proceeding of a district
1-19 not excepted in this Act taken before March 1, 2003, is validated as
1-20 of the date on which it occurred;

1-21 (2) any commissioner or other official of a district,
1-22 whether elected or appointed, who took office before the effective
1-23 date of this Act; and

1-24 (3) any bond or other obligation of a district
1-25 authorized before the effective date of this Act, including any
1-26 proceeding taken before the effective date of this Act that is
1-27 related to that bond or other obligation, regardless of whether the
1-28 bond or obligation is:

1-29 (A) payable from tax revenue or otherwise; or

1-30 (B) issued on or before the effective date of
1-31 this Act.

1-32 SECTION 3. APPLICABILITY. (a) Section 2 of this Act does
1-33 not apply to:

1-34 (1) an act, proceeding, commissioner, other official,
1-35 bond, or other obligation the validity of which or of whom is the
1-36 subject of litigation that is pending on the effective date of this
1-37 Act;

1-38 (2) an act or proceeding relating to the conveyance by
1-39 a district of any interest in real property that had originally been
1-40 patented or otherwise conveyed to the district by the state if the
1-41 act or proceeding by the district violated a restriction or
1-42 condition of the patent or other conveyance from the state; or

1-43 (3) an act or proceeding that violated Section 61.117,
1-44 Water Code.

1-45 (b) This Act does not validate any governmental act or
1-46 proceeding that, under the law of this state at the time the act or
1-47 proceeding occurred, was a misdemeanor or a felony.

1-48 SECTION 4. EFFECTIVE DATE. This Act takes effect September
1-49 1, 2003.

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