

By: Jackson

S.B. No. 767

A BILL TO BE ENTITLED

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AN ACT

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

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

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

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

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

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

SECTION 3. DEFINITIONS. In this subchapter:

- (1) "Board" means the board of directors of district.
- (2) "County" means Harris County, Texas.
- (3) "District" means Harris County Road Improvement District No. 1.
- (4) "Municipality" means the City of Houston, Texas.

1 SECTION 4. BOUNDARIES. The district includes all the
2 territory contained in the following described area:

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

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

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

24 THENCE NORTH 41 DEGREES 26 MINUTES 13 SECONDS EAST IN PART WITH THE
25 SOUTHEAST LINE OF SAID SAN JACINTO COLLEGE SOUTH CAMPUS, SECTION 1,
26 AT A DISTANCE OF 2549.33 FEET PASS THE NORTHEAST CORNER OF SAID SAN
27 JACINTO COLLEGE SOUTH CAMPUS, SECTION 1, IN ALL A TOTAL DISTANCE OF

1 3658.09 FEET, (CALLED 3656.93 FEET) TO A 5/8 INCH CAPPED IRON ROD
2 SET FOR THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND
3 BEING IN THE SOUTH LINE OF SCARSDALE SUBDIVISION SECTION THREE (3)
4 ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 188, PAGE 78
5 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING ON THE NORTH
6 LINE OF WILLIAM K. SMITH SURVEY, A-735 AND THE SOUTH LINE OF A.
7 WHITLOCK SURVEY A-795;
8 THENCE NORTH 86 DEGREES 37 MINUTES 52 SECONDS EAST ALONG THE SOUTH
9 LINE OF SAID SCARSDALE, SECTION 3, THE NORTH LINE OF THE HEREIN
10 DESCRIBED TRACT AND THE COMMON LINE OF SAID WHITLOCK ABSTRACT AND
11 SMITH ABSTRACT, A DISTANCE OF 326.15 FEET, (CALLED 326.77 FEET) TO A
12 5/8 INCH IRON ROD FOUND FOR THE EASTERLY NORTHEAST CORNER OF THE
13 HEREIN DESCRIBED TRACT AND BEING THE COMMON CORNER OF LOT 18 AND LOT
14 17 OF SAID RHODES AND SMITH SUBDIVISION;
15 THENCE SOUTH 48 DEGREES 31 MINUTES 43 SECONDS EAST ALONG THE COMMON
16 LINE OF SAID LOTS 18 AND 17 AND THE COMMON LINES OF LOTS 14 AND 15, 2
17 AND 3, A DISTANCE OF 1775.68 FEET TO A 5/8 INCH CAPPED IRON ROD SET
18 MARKING THE EAST CORNER OF THE HEREIN DESCRIBED TRACT IN THE
19 NORTHWEST RIGHT-OF-WAY LINE OF SAID DIXIE FARM ROAD, FROM WHICH A PK
20 NAIL FOUND IN FENCE POST BEARS SOUTH 72 DEGREES 03 MINUTES 08
21 SECONDS WEST, 3.31 FEET;
22 THENCE ALONG THE NORTHWEST LINE OF SAID DIXIE FARM ROAD AND THE
23 SOUTHEAST LINE OF THE HEREIN DESCRIBED TRACT WITH THE FOLLOWING
24 COURSES AND DISTANCES:
25 SOUTH 41 DEGREES 26 MINUTES 50 SECONDS WEST A DISTANCE OF 23.97 FEET
26 TO A 5/8 INCH IRON ROD FOUND FOR THE BEGINNING OF A CURVE TO THE
27 LEFT;

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

1 THENCE IN A SOUTHWESTERLY DIRECTION ALONG A CURVE TO THE LEFT HAVING
2 A RADIUS OF 2110.00 FEET, A CENTRAL ANGLE OF 03 DEGREES 57 MINUTES
3 55 SECONDS, AN ARC LENGTH OF 146.03 FEET, HAVING A CHORD BEARING AND
4 DISTANCE OF SOUTH 43 DEGREES 26 MINUTES 59 SECONDS WEST, 146.00 FEET
5 TO A 5/8 INCH IRON ROD FOUND FOR THE END OF SAID CURVE ;
6 THENCE SOUTH 41 DEGREES 28 MINUTES 06 SECONDS WEST A DISTANCE OF
7 1384.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 180.2467
8 ACRES (7,851,544 SQUARE FEET) OF LAND.
9 THE ABOVE DESCRIBED LEGAL DESCRIPTION OF 180.2467 ACRES CONTAINS
10 4.4627 ACRES (194,395 SQUARE FEET) WITHIN THE 50 FOOT ROAD
11 RIGHT-OF-WAY AND 11.8051 ACRES (514,232 SQUARE FEET) WITHIN THE
12 LIMITS OF THE PIPELINE EASEMENTS SHOWN HEREON.
13 ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 35.7561 ACRES
14 (1,557,535 SQUARE FEET) SITUATED IN THE WILLIAM K. SMITH SURVEY,
15 ABSTRACT NO. 735, HARRIS COUNTY, TEXAS, AND BEING A PORTION OF LOTS
16 20 THROUGH 27 OF RHODES AND SMITH SUBDIVISION, AN ADDITION IN HARRIS
17 COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN
18 VOLUME 1, PAGE 4 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND
19 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
20 (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH
21 CENTRAL ZONE)
22 COMMENCING AT A 5/8 INCH CAPPED IRON ROD SET MARKING THE
23 INTERSECTION OF THE NORTHEAST RIGHT-OF-WAY LINE OF BEAMER ROAD (100
24 FEET WIDE) WITH THE NORTHWEST RIGHT-OF-WAY LINE OF DIXIE FARM ROAD
25 (R.O.W. VARIES);
26 THENCE NORTH 48 DEGREES 32 MINUTES 30 SECONDS WEST ALONG THE
27 NORTHEAST RIGHT-OF-WAY LINE OF SAID BEAMER ROAD, A DISTANCE OF

1 1266.98 FEET TO A 5/8 INCH CAPPED IRON ROD SET FOR THE MOST
2 SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND BEING ON THE
3 NORTHWESTERLY LINE OF A 50 FOOT WIDE UN-NAMED ROAD RIGHT-OF-WAY AS
4 SHOWN ON SAID PLAT OF RHODES AND SMITH SUBDIVISION, RECORDED IN
5 VOLUME 1, PAGE 4 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS
6 THENCE NORTH 48 DEGREES 32 MINUTES 30 SECONDS WEST CONTINUING ALONG
7 THE NORTHEAST RIGHT-OF-WAY LINE OF SAID BEAMER ROAD, A DISTANCE OF
8 737.98 FEET TO A 5/8 INCH CAPPED IRON ROD FOUND FOR THE MOST
9 WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND BEING THE SOUTH
10 CORNER OF SAN JACINGO COLLEGE SOUTH CAMPUS, SECTION 1, ACCORDING TO
11 THE MAP OR PLAT THEREOF RECORDED UNDER FILM CODE NO. 366077 OF THE
12 MAP RECORDS OF HARRIS COUNTY, TEXAS, FROM WHICH A 1/2 INCH IRON ROD
13 FOUND BEARS NORTH 34 DEGREES 11 MINUTES 37 SECONDS EAST, 0.62 FEET;
14 THENCE NORTH 41 DEGREES 26 MINUTES 13 SECONDS EAST WITH THE
15 SOUTHEAST LINE OF SAID SAN JACINTO COLLEGE SOUTH CAMPUS, SECTION 1,
16 AT A DISTANCE OF 2024.51 FET TO A 5/8 INCH CAPPED IRON ROD SET FOR
17 THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED TRACT, AND BEING
18 IN THE SOUTHERLY LINE OF A 30 FOOT WIDE GATHERING LINE EASEMENT (NOT
19 RECORDED);
20 THENCE SOUTH 62 DEGREES 02 MINUTES 16 SECONDS EAST ALONG THE
21 SOUTHERLY LINE OF SAID 30 FOOT WIDE GATHERING LINE EASEMENT (NOT
22 RECORDED) A DISTANCE OF 325.02 FEET TO A 5/8 INCH IRON CAPPED IRON
23 ROD SET FOR AN ANGLE POINT IN SAID LINE;
24 THENCE SOUTH 60 DEGREES 20 MINUTES 43 SECONDS EAST CONTINUING ALONG
25 THE SOUTHERLY LINE OF SAID 30 FOOT WIDE GATHERING LINE EASEMENT (NOT
26 RECORDED) A DISTANCE OF 297.44 FEET TO A 5/8 INCH CAPPED IRON ROD
27 SET FOR AN ANGLE POINT IN SAID LINE;

1 THENCE SOUTH 58 DEGREES 45 MINUTES 28 SECONDS EAST CONTINING ALONG
2 THE SOUTHERLY LINE OF SAID 30 FOOT WIDE GATHERING LINE EASEMENT (NOT
3 RECORDED) A DISTANCE OF 134.04 FEET TO A 5/8 INCH CAPPED IRON ROD
4 SET FOR THE MOST EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT ALSO
5 BEING IN THE NORTHWESTERLY LINE OF SAID 50 FOOT WIDE UN-NAMED ROAD
6 RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF RHODES AND SMITH SUBDIVISION,
7 RECORDED IN VOLUME 1, PAGE 4 OF THE MAP RECORDS OF HARRIS COUNTY,
8 TEXAS

9 THENCE SOUTH 41 DEGREES 28 MINUTES 06 SECONDS WEST ALONG THE
10 NORTHWESTERLY LINE OF SAID 50 FOOT WIDE UN-NAMED ROAD RIGHT-OF-WAY
11 AS SHOWN ON SAID PLAT OF RHODES AND SMITH SUBDIVISION, RECORDED IN
12 VOLUME 1, PAGE 4 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, A
13 DISTANCE OF 2184.78 FEET TO THE POINT OF BEGINNING AND CONTAINING
14 35.7561 ACRES (1,557,535 SQUARE FEET) OF LAND.

15 SECTION 5. FINDINGS RELATING TO BOUNDARIES. The boundaries
16 and field notes of the district form a closure. If a mistake is made
17 in the field notes or in copying the field notes in the legislative
18 process, the mistake does not affect the district's:

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

25 SECTION 6. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

26 (a) The district is created to serve a public use and benefit. All
27 the land and other property included in the district will be

1 benefited by the improvements and services to be provided by the
2 district under powers conferred by Sections 52 and 52-a, Article
3 III, and Section 59, Article XVI, Texas Constitution, and other
4 powers granted under this subchapter.

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

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

9 (2) eliminate unemployment and underemployment and
10 develop or expand transportation and commerce.

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

17 (d) The district will:

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

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

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

1 scenic beauty.

2 (e) Pedestrian ways along or across a street, whether at
3 grade or above or below the surface, and street lighting, street
4 landscaping, and street art objects are parts of and necessary
5 components of a street and are considered to be a street or road
6 improvement.

7 (f) The district will not act as the agent or
8 instrumentality of any private interest even though many private
9 interests will be benefited by the district, as will the general
10 public.

11 SECTION 7. POWERS OF DISTRICT. (a) The district has all of
12 the powers and duties provided by the general law of this state on
13 road districts and road utility districts created under Section 52,
14 Article III, Texas Constitution, and on conservation and
15 reclamation districts and municipal management districts created
16 under Section 59, Article XVI, Texas Constitution, including:

- 17 (1) Chapters 257 and 441, Transportation Code;
18 (2) Chapter 375, Local Government Code; and
19 (3) Chapters 54 and 49, Water Code.

20 (b) The district may impose ad valorem taxes, assessments,
21 and impact fees and apply the proceeds of the taxes, assessments or
22 impact fees to the payment of debt, to contract payments, or to
23 maintenance and operating expenses.

24 (c) This Act shall be liberally construed in conformity with
25 the legislative findings and purposes set forth in this Act.

26 (d) If any provision of the general law is in conflict with
27 this Act, this Act prevails. Any general law which supplements the

1 power and authority of the district, to the extent not in conflict
2 or inconsistent with the Act, is adopted and incorporated by
3 reference.

4 SECTION 8. BOARD OF DIRECTORS. (a) The district is
5 governed by a board of five elected directors which shall serve
6 staggered terms of four years.

7 (b) Director elections shall be conducted in accordance
8 with Subchapter D, Chapter 49, Water Code.

9 (c) A director may receive compensation as provided by
10 Section 49.060, Water Code.

11 (d) Section 375.063, Local Government Code, applies to the
12 district.

13 (d) To the extent not in conflict with the provisions of
14 this Act, Subchapter C, Chapter 49, Water Code, applies to the
15 district.

16 SECTION 9. AGREEMENTS: GENERAL; GIFTS, INTERLOCAL
17 AGREEMENTS, AND LAW ENFORCEMENT SERVICES. (a) The district may
18 make an agreement with or accept a gift, grant, or loan from any
19 person.

20 (b) The implementation of a project is a governmental
21 function or service for the purposes of Chapter 791, Government
22 Code.

23 (c) To protect the public interest, the district may
24 contract with the municipality or the county to provide law
25 enforcement services in the district for a fee.

26 SECTION 10. ELECTIONS. (a) The district shall hold an
27 election in the manner provided by Chapters 54 and 49, Water Code,

1 to obtain voter approval before the district imposes a maintenance
2 tax or issues bonds payable from ad valorem taxes.

3 (b) The board may include more than one purpose in a single
4 proposition at an election.

5 SECTION 11. MAINTENANCE TAX. (a) If authorized at an
6 election held in accordance with Section 16, the district may
7 impose and collect an annual ad valorem tax on taxable property in
8 the district for the purposes of the district, including the
9 maintenance and operation of the district and the improvements
10 constructed or acquired by the district or for the provision of
11 services.

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

13 SECTION 12. ASSESSMENTS. (a) The board may impose and
14 collect an assessment for any purpose authorized by this
15 subchapter.

16 (b) The board may not finance a service or improvement
17 project through assessments under this subchapter unless a written
18 petition requesting the improvement or service has been filed with
19 the board. The petition must be signed by:

20 (1) the owners of a majority of the assessed value of
21 real property in the district that will be subject to the assessment
22 as determined by the most recent certified county property tax
23 rolls; or

24 (2) at least 25 persons who own land in the district
25 that will be subject to the assessment, if there are more than 25
26 persons who own property in the district that will be subject to the
27 assessment as determined by the most recent certified county

1 property tax rolls.

2 (c) Assessments, including assessments resulting from an
3 addition to or correction of the assessment roll by the district,
4 reassessments, penalties and interest on an assessment or
5 reassessment, expenses of collection, and reasonable attorney's
6 fees incurred by the district:

7 (1) are a first and prior lien against the property
8 assessed;

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

12 (3) are the personal liability of and charge against
13 the owners of the property even if the owners are not named in the
14 assessment proceedings.

15 (d) The lien is effective from the date of the resolution of
16 the board imposing the assessment until the assessment is paid. The
17 board may enforce the lien in the same manner that the board may
18 enforce an ad valorem tax lien against real property.

19 SECTION 13. BONDS. (a) The district may issue bonds or
20 other obligations payable in whole or in part from ad valorem taxes,
21 assessments, impact fees, revenues, grants, or other money of the
22 district, or any combination of those sources of money, to pay for
23 any authorized purpose of the district.

24 (b) Bonds or other obligations of the district may be issued
25 in the form of bonds, notes, certificates of participation,
26 including other instruments evidencing a proportionate interest in
27 payments to be made by the district, or other obligations that are

1 issued in the exercise of the district's borrowing power and may be
2 issued in bearer or registered form or not represented by an
3 instrument but the transfer of which is registered on books
4 maintained by or on behalf of the district.

5 SECTION 14. DISBURSEMENTS OR TRANSFERS OF FUNDS. The board
6 by resolution shall establish the number of directors' signatures
7 and the procedure required for a disbursement or transfer of the
8 district's money.

9 SECTION 15. COMPETITIVE BIDDING. Section 49.273, Water
10 Code, applies to the district.

11 SECTION 16. INITIAL DIRECTORS. (a) The initial board
12 consists of the following persons:

13	Name of Director
14	_____
15	_____
16	_____
17	_____
18	_____

19 (b) Of the initial directors, the terms of the first three
20 directors named in subsection (a) expire on May ____, 2006, and the
21 terms of the last two directors named in subsection (a) expire on
22 May ____, 2004.

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

24 SECTION 17. The legislature finds that:

25 (1) proper and legal notice of the intention to
26 introduce this Act, setting forth the general substance of this
27 Act, has been published as provided by law, and the notice and a

1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished by
3 the constitution and laws of this state, including the governor,
4 who has submitted the notice and Act to the Texas Commission on
5 Environmental Quality;

6 (2) the Texas Commission on Environmental Quality has
7 filed its recommendations relating to this Act with the governor,
8 lieutenant governor, and speaker of the house of representatives
9 within the required time;

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

14 (4) all requirements of the constitution and laws of
15 this state and the rules and procedures of the legislature with
16 respect to the notice, introduction, and passage of this Act have
17 been fulfilled and accomplished.

18 SECTION 18. This Act takes effect immediately if it
19 receives a vote of two-thirds of all the members elected to each
20 house, as provided by Section 39, Article III, Texas Constitution.
21 If this Act does not receive the vote necessary for immediate
22 effect, this Act takes effect September 1, 2003.