

1-1 By: Coleman (Senate Sponsor - Ellis) H.B. No. 3517
1-2 (In the Senate - Received from the House May 16, 2005;
1-3 May 17, 2005, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 20, 2005, reported favorably by
1-5 the following vote: Yeas 4, Nays 0; May 20, 2005, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the creation of the Harris County Improvement District
1-10 No. 7; providing authority to impose a tax and issue bonds.

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

1-12 SECTION 1. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 7.
1-13 Subtitle C, Title 4, Special District Local Laws Code, is amended by
1-14 adding Chapter 3844 to read as follows:

1-15 CHAPTER 3844. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 7

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 3844.001. DEFINITIONS. In this chapter:

1-18 (1) "Board" means the board of directors of the
1-19 district.

1-20 (2) "District" means the Harris County Improvement
1-21 District No. 7.

1-22 Sec. 3844.002. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 7. A
1-23 special district known as the "Harris County Improvement District
1-24 No. 7" is a governmental agency and political subdivision of this
1-25 state.

1-26 Sec. 3844.003. PURPOSE; DECLARATION OF INTENT. (a) The
1-27 creation of the district is essential to accomplish the purposes of
1-28 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-29 Texas Constitution, and other public purposes stated in this
1-30 chapter. By creating the district and in authorizing Harris
1-31 County, the City of Houston, and other political subdivisions to
1-32 contract with the district, the legislature has established a
1-33 program to accomplish the public purposes set out in Section 52-a,
1-34 Article III, Texas Constitution.

1-35 (b) The creation of the district is necessary to promote,
1-36 develop, encourage, and maintain employment, commerce,
1-37 transportation, housing, tourism, recreation, the arts,
1-38 entertainment, economic development, safety, and the public
1-39 welfare in the area of the district.

1-40 (c) This chapter and the creation of the district may not be
1-41 interpreted to relieve Harris County or the City of Houston from
1-42 providing the level of services provided as of September 1, 2005, to
1-43 the area in the district or to release the county or the city from
1-44 the obligations of each entity to provide services to that area.
1-45 The district is created to supplement and not to supplant the county
1-46 or city services provided in the area in the district.

1-47 Sec. 3844.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
1-48 The district is created to serve a public use and benefit.

1-49 (b) All land and other property included in the district
1-50 will benefit from the improvements and services to be provided by
1-51 the district under powers conferred by Sections 52 and 52-a,
1-52 Article III, and Section 59, Article XVI, Texas Constitution, and
1-53 other powers granted under this chapter.

1-54 (c) Each improvement project or service authorized by this
1-55 chapter is essential to carry out a public purpose.

1-56 (d) The creation of the district is in the public interest
1-57 and is essential to:

1-58 (1) further the public purposes of developing and
1-59 diversifying the economy of the state;

1-60 (2) eliminate unemployment and underemployment; and

1-61 (3) develop or expand transportation and commerce.

1-62 (e) The district will:

1-63 (1) promote the health, safety, and general welfare of
1-64 residents, employers, employees, visitors, and consumers in the

2-1 district, and of the public;
2-2 (2) provide needed funding for the district to
2-3 preserve, maintain, and enhance the economic health and vitality of
2-4 the area as a community and business center;
2-5 (3) promote the health, safety, welfare, and enjoyment
2-6 of the public by providing public art and pedestrian ways and by
2-7 landscaping and developing certain areas in the district, which are
2-8 necessary for the restoration, preservation, and enhancement of
2-9 scenic and aesthetic beauty;
2-10 (4) promote and benefit commercial development and
2-11 commercial areas in the district; and
2-12 (5) promote and develop public transportation and
2-13 pedestrian facilities and systems using new and alternative means
2-14 that are attractive, safe, and convenient, including securing
2-15 expanded and improved transportation and pedestrian facilities and
2-16 systems, to:
2-17 (A) address the problem of traffic congestion in
2-18 the district, the need to control traffic and improve pedestrian
2-19 safety, and the limited availability of money; and
2-20 (B) benefit the land and other property in the
2-21 district and the residents, employers, employees, visitors, and
2-22 consumers in the district and the public.
2-23 (f) Pedestrian ways along or across a street, whether at
2-24 grade or above or below the surface, and street lighting, street
2-25 landscaping, and street art objects are parts of and necessary
2-26 components of a street and are considered to be a street or road
2-27 improvement.
2-28 (g) The district will not act as the agent or
2-29 instrumentality of any private interest even though the district
2-30 will benefit many private interests as well as the public.
2-31 Sec. 3844.005. DISTRICT TERRITORY. (a) The district is
2-32 composed of the territory described by Section 2 of the Act enacting
2-33 this chapter, as that territory may have been modified under:
2-34 (1) Section 3844.105;
2-35 (2) Subchapter J, Chapter 49, Water Code; or
2-36 (3) other law.
2-37 (b) The boundaries and field notes of the district contained
2-38 in Section 2 of this Act form a closure. A mistake in the field
2-39 notes or in copying the field notes in the legislative process does
2-40 not in any way affect:
2-41 (1) the district's organization, existence, and
2-42 validity;
2-43 (2) the district's right to issue any type of bond,
2-44 including a refunding bond, for a purpose for which the district is
2-45 created or to pay the principal of and interest on the bond;
2-46 (3) the district's right to impose and collect an
2-47 assessment or tax; or
2-48 (4) the legality or operation of the district or the
2-49 board.
2-50 (c) A description of the district's boundaries shall be
2-51 filed with the Texas Commission on Environmental Quality. The
2-52 commission by order may correct a mistake in the description of the
2-53 district's boundaries.
2-54 Sec. 3844.006. TORT LIABILITY. The district is a
2-55 governmental unit under Chapter 101, Civil Practice and Remedies
2-56 Code, and the operations of the district are essential government
2-57 functions and are not proprietary functions for any purpose,
2-58 including the application of Chapter 101, Civil Practice and
2-59 Remedies Code.
2-60 Sec. 3844.007. ELIGIBILITY FOR REINVESTMENT ZONES. All or
2-61 any part of the area of the district is eligible to be included in a
2-62 tax increment reinvestment zone created by the City of Houston
2-63 under Chapter 311, Tax Code.
2-64 Sec. 3844.008. LIBERAL CONSTRUCTION OF CHAPTER. This
2-65 chapter shall be liberally construed in conformity with the
2-66 findings and purposes stated in this chapter.
2-67 [Sections 3844.009-3844.050 reserved for expansion]
2-68 SUBCHAPTER B. BOARD OF DIRECTORS
2-69 Sec. 3844.051. BOARD OF DIRECTORS; TERMS. (a) The

3-1 district is governed by a board of 11 directors who serve staggered
3-2 terms of four years with five or six directors' terms expiring June
3-3 1 of each odd-numbered year.

3-4 (b) The board by resolution may increase or decrease the
3-5 number of directors on the board, but only if a majority of the
3-6 board finds that it is in the best interest of the district to do so.
3-7 The board may not:

3-8 (1) increase the number of directors to more than 15;
3-9 or

3-10 (2) decrease the number of directors to fewer than
3-11 five.

3-12 (c) Sections 49.053, 49.054, 49.056, 49.057, 49.058, and
3-13 49.060, Water Code, apply to the board.

3-14 (d) Subchapter D, Chapter 375, Local Government Code,
3-15 applies to the board to the extent that subchapter does not conflict
3-16 with this chapter.

3-17 Sec. 3844.052. APPOINTMENT OF DIRECTORS ON INCREASE IN
3-18 BOARD SIZE. If the board increases the number of directors under
3-19 Section 3844.051, the board shall appoint qualified persons to fill
3-20 the new director positions and shall provide for staggering the
3-21 terms of the directors serving in the new positions. On expiration
3-22 of the term of a director appointed under this section, a succeeding
3-23 director shall be appointed and qualified as provided by Subchapter
3-24 D, Chapter 375, Local Government Code.

3-25 Sec. 3844.053. INITIAL DIRECTORS. (a) The initial board
3-26 consists of:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Keith Wade</u>
<u>2</u>	<u>Karen Domino</u>
<u>3</u>	<u>William Taylor</u>
<u>4</u>	<u>Sadie Rucker</u>
<u>5</u>	<u>Jackie Martin</u>
<u>6</u>	<u>Elmo Johnson</u>
<u>7</u>	<u>June Deadrick</u>
<u>8</u>	<u>Todd Triggs</u>
<u>9</u>	<u>Peter Grimm</u>
<u>10</u>	<u>Milton Wilson</u>
<u>11</u>	<u>Ernie Etuk</u>

3-39 (b) Of the initial directors, the terms of directors
3-40 appointed for positions 1 through 6 expire June 1, 2009, and the
3-41 terms of directors appointed for positions 7 through 11 expire June
3-42 1, 2007.

3-43 (c) Section 3844.051 does not apply to this section.

3-44 (d) This section expires September 1, 2009.

3-45 [Sections 3844.054-3844.100 reserved for expansion]

3-46 SUBCHAPTER C. POWERS AND DUTIES

3-47 Sec. 3844.101. DISTRICT POWERS. The district has:

3-48 (1) all powers necessary to accomplish the purposes
3-49 for which the district was created;

3-50 (2) the rights, powers, privileges, authority, and
3-51 functions of a district created under Chapter 375, Local Government
3-52 Code;

3-53 (3) the powers, duties, and contracting authority
3-54 specified by Subchapters H and I, Chapter 49, Water Code;

3-55 (4) the powers given to a corporation under Section
3-56 4B, Development Corporation Act of 1979 (Article 5190.6, Vernon's
3-57 Texas Civil Statutes), including the power to own, operate,
3-58 acquire, construct, lease, improve, and maintain the projects
3-59 described by that section; and

3-60 (5) the powers of a housing finance corporation
3-61 created under Chapter 394, Local Government Code.

3-62 Sec. 3844.102. NONPROFIT CORPORATION. (a) The board by
3-63 resolution may authorize the creation of a nonprofit corporation to
3-64 assist and act for the district in implementing a project or
3-65 providing a service authorized by this chapter.

3-66 (b) The nonprofit corporation:

3-67 (1) has each power of and is considered for purposes of
3-68 this chapter to be a local government corporation created under
3-69 Chapter 431, Transportation Code; and

4-1 (2) may implement any project and provide any service
 4-2 authorized by this chapter.

4-3 (c) The board shall appoint the board of directors of the
 4-4 nonprofit corporation. The board of directors of the nonprofit
 4-5 corporation shall serve in the same manner as, for the same term as,
 4-6 and on the same conditions as the board of directors of a local
 4-7 government corporation created under Chapter 431, Transportation
 4-8 Code.

4-9 Sec. 3844.103. ELECTIONS. (a) District elections must be
 4-10 held in the manner provided by Subchapter L, Chapter 375, Local
 4-11 Government Code.

4-12 (b) The board may submit multiple purposes in a single
 4-13 proposition at an election.

4-14 Sec. 3844.104. CONTRACT FOR LAW ENFORCEMENT AND SECURITY
 4-15 SERVICES. The district may contract with:

4-16 (1) Harris County or the City of Houston for the county
 4-17 or city to provide law enforcement and security services for a fee;
 4-18 and

4-19 (2) a private entity for the private entity to provide
 4-20 supplemental security services.

4-21 Sec. 3844.105. ANNEXATION OR EXCLUSION OF TERRITORY. The
 4-22 district may annex or exclude land from the district in the manner
 4-23 provided by Subchapter C, Chapter 375, Local Government Code.

4-24 Sec. 3844.106. NO EMINENT DOMAIN POWER. The district may
 4-25 not exercise the power of eminent domain.

4-26 [Sections 3844.107-3844.150 reserved for expansion]

4-27 SUBCHAPTER D. PUBLIC TRANSIT SYSTEM AND PARKING FACILITIES

4-28 Sec. 3844.151. PUBLIC TRANSIT SYSTEM; PETITION REQUIRED.

4-29 (a) The district may acquire, lease as lessor or lessee, construct,
 4-30 develop, own, operate, and maintain a public transit system to
 4-31 serve the area within the boundaries of the district.

4-32 (b) Before the district may act under Subsection (a), a
 4-33 petition must be filed with the district requesting the action with
 4-34 regard to a public transit system. The petition must be signed by
 4-35 owners of property representing a majority of either the total
 4-36 assessed value or the area of the real property in the district that
 4-37 abuts the right-of-way in which the public transit system is
 4-38 proposed to be located. The determination of a majority is based on
 4-39 the property owners along the entire right-of-way of the proposed
 4-40 transit project and may not be calculated on a block-by-block
 4-41 basis.

4-42 Sec. 3844.152. PARKING FACILITIES AUTHORIZED; OPERATION BY
 4-43 PRIVATE ENTITY; TAX EXEMPTION. (a) The district may acquire, lease
 4-44 as lessor or lessee, construct, develop, own, operate, and maintain
 4-45 parking facilities, including:

4-46 (1) lots, garages, parking terminals, or other
 4-47 structures or accommodations for the parking of motor vehicles; and

4-48 (2) equipment, entrances, exits, fencing, and other
 4-49 accessories necessary for safety and convenience in the parking of
 4-50 vehicles.

4-51 (b) A parking facility of the district must be either leased
 4-52 to or operated on behalf of the district by a private entity or an
 4-53 entity other than the district. The district's parking facilities
 4-54 are a program authorized by the legislature under Section 52-a,
 4-55 Article III, Texas Constitution, and accomplish a public purpose
 4-56 under that section even if leased or operated by a private entity
 4-57 for a term of years.

4-58 (c) The district's public parking facilities and any lease
 4-59 to a private entity are exempt from the payment of ad valorem taxes
 4-60 and state and local sales and use taxes.

4-61 Sec. 3844.153. RULES. The district may adopt rules
 4-62 covering its public transit system or its public parking facilities
 4-63 except that a rule relating to or affecting the use of the public
 4-64 right-of-way or a requirement for off-street parking is subject to
 4-65 all applicable municipal charter, code, or ordinance requirements.

4-66 Sec. 3844.154. FINANCING OF PUBLIC TRANSIT SYSTEM OR
 4-67 PARKING FACILITIES. (a) The district may use any of its resources,
 4-68 including revenue, assessments, taxes, and grant or contract
 4-69 proceeds, to pay the cost of acquiring and operating a public

5-1 transit system or public parking facilities.

5-2 (b) The district may set and impose fees, charges, or tolls
 5-3 for the use of the public transit system or the public parking
 5-4 facilities and may issue bonds or notes to finance the cost of these
 5-5 facilities.

5-6 (c) Except as provided by Section 3844.151, if the district
 5-7 pays for or finances the cost of acquiring or operating a public
 5-8 transit system or public parking facilities with resources other
 5-9 than assessments, a petition of property owners or a public hearing
 5-10 is not required.

5-11 Sec. 3844.155. PAYMENT IN LIEU OF TAXES TO OTHER TAXING
 5-12 UNIT. If the district's acquisition of property for a parking
 5-13 facility that is leased to or operated by a private entity results
 5-14 in the removal from a taxing unit's tax rolls of real property
 5-15 otherwise subject to ad valorem taxation, the district shall pay to
 5-16 the taxing unit in which the property is located, on or before
 5-17 January 1 of each year, as a payment in lieu of taxes, an amount
 5-18 equal to the ad valorem taxes that otherwise would have been imposed
 5-19 for the preceding tax year on that real property by the taxing unit,
 5-20 without including the value of any improvements constructed on the
 5-21 property.

5-22 [Sections 3844.156-3844.200 reserved for expansion]

5-23 SUBCHAPTER E. FINANCIAL PROVISIONS

5-24 Sec. 3844.201. AUTHORITY TO IMPOSE ASSESSMENTS, AD VALOREM
 5-25 TAXES, AND IMPACT FEES. The district may impose, assess, charge, or
 5-26 collect an assessment, an ad valorem tax, an impact fee, or another
 5-27 fee in accordance with Chapter 49, Water Code, for a purpose
 5-28 specified by Chapter 375, Local Government Code, or as needed to
 5-29 exercise a power or function or to accomplish a purpose or duty for
 5-30 which the district was created.

5-31 Sec. 3844.202. MAINTENANCE TAX. (a) If authorized at an
 5-32 election held in accordance with Section 3844.103, the district may
 5-33 impose an annual ad valorem tax on taxable property in the district
 5-34 to maintain, restore, replace, or operate the district and
 5-35 improvements that the district constructs or acquires or the
 5-36 district's facilities, works, or services.

5-37 (b) The board shall determine the tax rate.

5-38 Sec. 3844.203. ASSESSMENT IN PART OF DISTRICT. An
 5-39 assessment may be imposed on only a part of the district if only
 5-40 that part will benefit from the service or improvement.

5-41 Sec. 3844.204. PETITION REQUIRED FOR ASSESSMENT AND FOR
 5-42 FINANCING SERVICES AND IMPROVEMENTS. (a) The board may not impose
 5-43 an assessment or finance a service or improvement project under
 5-44 this chapter unless a written petition requesting the improvement
 5-45 or service has been filed with the board.

5-46 (b) The petition must be signed by:

5-47 (1) the owners of a majority of the assessed value of
 5-48 real property in the district or in the area of the district that
 5-49 will be subject to the assessment as determined by the most recent
 5-50 certified tax appraisal roll for Harris County; or

5-51 (2) at least 25 persons who own real property in the
 5-52 district or the area of the district that will be subject to the
 5-53 assessment, if more than 25 persons own real property in the
 5-54 district or area that will be subject to the assessment as
 5-55 determined by the most recent certified tax appraisal roll for
 5-56 Harris County.

5-57 Sec. 3844.205. ASSESSMENTS CONSIDERED TAXES. For purposes
 5-58 of a title insurance policy issued under Chapter 9, Insurance Code,
 5-59 an assessment is a tax.

5-60 Sec. 3844.206. LIENS FOR ASSESSMENTS; SUITS TO RECOVER
 5-61 ASSESSMENTS. (a) An assessment imposed on property under this
 5-62 chapter is a personal obligation of the person who owns the property
 5-63 on January 1 of the year for which the assessment is imposed. If the
 5-64 person transfers title to the property, the person is not relieved
 5-65 of the obligation.

5-66 (b) On January 1 of the year for which an assessment is
 5-67 imposed on a property, a lien attaches to the property to secure the
 5-68 payment of the assessment and any interest accrued on the
 5-69 assessment. The lien has the same priority as a lien for district

6-1 taxes.

6-2 (c) Not later than the fourth anniversary of the date on
6-3 which a delinquent assessment became due, the district may file
6-4 suit to foreclose the lien or to enforce the obligation for the
6-5 assessment, or both, and for any interest accrued.

6-6 (d) In addition to recovering the amount of the assessment
6-7 and any accrued interest, the district may recover reasonable
6-8 costs, including attorney's fees, that the district incurs in
6-9 foreclosing the lien or enforcing the obligation. The costs may not
6-10 exceed an amount equal to 20 percent of the assessment and interest.

6-11 (e) If the district does not file a suit in connection with a
6-12 delinquent assessment on or before the last date on which the
6-13 district may file suit under Subsection (c), the assessment and any
6-14 interest accrued is considered paid.

6-15 Sec. 3844.207. PROPERTY OF CERTAIN UTILITIES EXEMPT FROM
6-16 ASSESSMENT AND IMPACT FEES. The district may not impose an impact
6-17 fee or assessment on the property, including equipment or
6-18 facilities, of:

6-19 (1) an electric utility as defined by Section 31.002,
6-20 Utilities Code;

6-21 (2) a gas utility as defined by Section 101.003 or
6-22 121.001, Utilities Code;

6-23 (3) a telecommunications provider as defined by
6-24 Section 51.002, Utilities Code; or

6-25 (4) a cable operator as defined by 47 U.S.C. Section
6-26 522, as amended.

6-27 Sec. 3844.208. USE OF ELECTRICAL OR OPTICAL LINES. (a) The
6-28 district may impose an assessment to pay the cost of:

6-29 (1) burying or removing electrical power lines,
6-30 telephone lines, cable or fiber optic lines, or any other type of
6-31 electrical or optical line;

6-32 (2) removing poles and any elevated lines using the
6-33 poles; and

6-34 (3) reconnecting the lines described by Subdivision
6-35 (2) to the buildings or other improvements to which the lines were
6-36 connected.

6-37 (b) The district may acquire, operate, or charge fees for
6-38 the use of the district conduits for:

6-39 (1) another person's:

6-40 (A) telecommunications network;

6-41 (B) fiber-optic cable; or

6-42 (C) electronic transmission line; or

6-43 (2) any other type of transmission line or supporting
6-44 facility.

6-45 (c) The district may not require a person to use a district
6-46 conduit.

6-47 Sec. 3844.209. DEBT. The district may issue bonds, notes,
6-48 or other debt obligations in accordance with Subchapters I and J,
6-49 Chapter 375, Local Government Code, for a purpose specified by that
6-50 chapter or as required to exercise a power or function or to
6-51 accomplish a purpose or duty for which the district was created.

6-52 [Sections 3844.210-3844.250 reserved for expansion]

6-53 SUBCHAPTER F. DISSOLUTION

6-54 Sec. 3844.251. DISSOLUTION OF DISTRICT WITH OUTSTANDING
6-55 DEBT. (a) The district may be dissolved as provided by Subchapter
6-56 M, Chapter 375, Local Government Code, except that Section 375.264,
6-57 Local Government Code, does not apply to the district.

6-58 (b) If the district has debt when it is dissolved, the
6-59 district shall remain in existence solely for the purpose of
6-60 discharging its bonds or other obligations according to their
6-61 terms.

6-62 SECTION 2. BOUNDARIES. As of the effective date of this
6-63 Act, the Harris County Improvement District No. 7 includes all
6-64 territory contained in the following described area:

6-65 UNLESS otherwise specified, the boundaries of this district will
6-66 travel along the centerline of each street included, and each
6-67 intersection will be the intersection of the centerlines of the
6-68 streets mentioned.

6-69 BEGINNING at the intersection of Heiner Street with Allen Parkway.

7-1 Then in a westerly direction along Allen Parkway to its
7-2 intersection with Montrose Boulevard.
7-3 Then in a southerly direction along Montrose Boulevard to its
7-4 intersection with West Dallas Street.
7-5 Then in an easterly direction along West Dallas Street to its
7-6 intersection with Taft Street.
7-7 Then in a southerly direction along Taft Street to its intersection
7-8 with Welch Avenue.
7-9 Then in an easterly direction along Welch Avenue to its
7-10 intersection with Genesee Street and Dennis Avenue.
7-11 Then in a northerly direction along Genesee Street to its
7-12 intersection with Sutton.
7-13 Then in an easterly direction along Sutton to its intersection with
7-14 Bailey Street.
7-15 Then in a northerly direction along Bailey Street to its
7-16 intersection with West Webster Avenue.
7-17 Then in an easterly direction along West Webster Avenue to its
7-18 intersection with Webster Avenue.
7-19 Then in a northwesterly direction along Webster Avenue to its
7-20 intersection with West Gray Avenue.
7-21 Then in an easterly and southeasterly direction along West Gray
7-22 Avenue to its intersection with Baldwin Street.
7-23 Then in a northeasterly direction along Baldwin Street to its
7-24 intersection with St. Joseph.
7-25 Then in a northwesterly direction along St. Joseph to the southerly
7-26 dead end of Arthur Street.
7-27 Then in a northerly direction along Arthur Street to its
7-28 intersection with Cleveland Street.
7-29 Then in an easterly direction along Cleveland Street to its
7-30 intersection with Heiner Street.
7-31 Then in a northerly direction along Heiner Street to the POINT OF
7-32 BEGINNING.

7-33 SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
7-34 that:

7-35 (1) proper and legal notice of the intention to
7-36 introduce this Act, setting forth the general substance of this
7-37 Act, has been published as provided by law, and the notice and a
7-38 copy of this Act have been furnished to all persons, agencies,
7-39 officials, or entities to which they are required to be furnished by
7-40 the constitution and laws of this state, including the governor,
7-41 who has submitted the notice and Act to the Texas Commission on
7-42 Environmental Quality;

7-43 (2) the Texas Commission on Environmental Quality has
7-44 filed its recommendations relating to this Act with the governor,
7-45 lieutenant governor, and speaker of the house of representatives
7-46 within the required time;

7-47 (3) the general law relating to consent by political
7-48 subdivisions to the creation of districts with conservation,
7-49 reclamation, and road powers and the inclusion of land in those
7-50 districts has been complied with; and

7-51 (4) all requirements of the constitution and laws of
7-52 this state and the rules and procedures of the legislature with
7-53 respect to the notice, introduction, and passage of this Act have
7-54 been fulfilled and accomplished.

7-55 SECTION 4. EFFECTIVE DATE. This Act takes effect
7-56 immediately if it receives a vote of two-thirds of all the members
7-57 elected to each house, as provided by Section 39, Article III, Texas
7-58 Constitution. If this Act does not receive the vote necessary for
7-59 immediate effect, this Act takes effect September 1, 2005.

7-60 * * * * *