

By: Lindsay

S.B. No. 1889

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris County Municipal Utility District No. 464; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8158 to read as follows:

CHAPTER 8158. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT

NO. 464

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8158.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means the Harris County Municipal Utility District No. 464.

Sec. 8158.002. NATURE OF DISTRICT. The district is a municipal utility district in Harris County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 8158.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8158.023 before September 1, 2007:

(1) the district is dissolved September 1, 2007,

1 except that:

2 (A) any debts incurred shall be paid;

3 (B) any assets that remain after the payment of  
4 debts shall be transferred to Harris County; and

5 (C) the organization of the district shall be  
6 maintained until all debts are paid and remaining assets are  
7 transferred; and

8 (2) this chapter expires September 1, 2010.

9 Sec. 8158.004. INITIAL DISTRICT TERRITORY. (a) The  
10 district is initially composed of the territory described by  
11 Section 2 of the Act creating this chapter.

12 (b) The boundaries and field notes contained in Section 2 of  
13 the Act creating this chapter form a closure. A mistake made in the  
14 field notes or in copying the field notes in the legislative process  
15 does not affect:

16 (1) the organization, existence, or validity of the  
17 district;

18 (2) the right of the district to impose taxes; or

19 (3) the legality or operation of the board.

20 [Sections 8158.005-8158.020 reserved for expansion]

21 SUBCHAPTER A1. TEMPORARY PROVISIONS

22 Sec. 8158.021. TEMPORARY DIRECTORS. (a) On or after  
23 September 1, 2005, a person who owns land in the district may submit  
24 a petition to the Texas Commission on Environmental Quality to  
25 appoint as temporary directors the five persons named in the  
26 petition.

27 (b) The commission shall appoint as temporary directors the

1 five persons named in the first petition received by the commission  
2 under Subsection (a).

3 (c) If a temporary director fails to qualify for office, the  
4 commission shall appoint a person to fill the vacancy.

5 (d) Temporary directors serve until the earlier of:

6 (1) the date directors are elected under Section  
7 8158.023; or

8 (2) the date this chapter expires under Section  
9 8158.003.

10 Sec. 8158.022. ORGANIZATIONAL MEETING OF TEMPORARY  
11 DIRECTORS. As soon as practicable after all the temporary  
12 directors have qualified under Section 49.055, Water Code, the  
13 temporary directors shall meet at a location in the district  
14 agreeable to a majority of the directors. If a location cannot be  
15 agreed upon, the meeting shall be at the Harris County Courthouse.  
16 At the meeting, the temporary directors shall elect officers from  
17 among the temporary directors and conduct any other district  
18 business.

19 Sec. 8158.023. CONFIRMATION AND INITIAL DIRECTORS'  
20 ELECTION. The temporary directors shall hold an election to  
21 confirm the creation of the district and to elect five directors as  
22 provided by Section 49.102, Water Code.

23 Sec. 8158.024. INITIAL ELECTED DIRECTORS; TERMS. The  
24 directors elected under Section 8158.023 shall draw lots to  
25 determine which two shall serve until the first regularly scheduled  
26 election of directors under Section 8158.052 and which three shall  
27 serve until the second regularly scheduled election of directors.

1       Sec. 8158.025. EXPIRATION OF SUBCHAPTER. This subchapter  
2 expires September 1, 2010.

3       [Sections 8158.026-8158.050 reserved for expansion]

4               SUBCHAPTER B. BOARD OF DIRECTORS

5       Sec. 8158.051. DIRECTORS; TERMS. (a) The district is  
6 governed by a board of five directors.

7       (b) Directors serve staggered four-year terms.

8       Sec. 8158.052. ELECTION OF DIRECTORS. On the uniform  
9 election date in May of each even-numbered year, the appropriate  
10 number of directors shall be elected.

11       [Sections 8158.053-8158.100 reserved for expansion]

12               SUBCHAPTER C. POWERS AND DUTIES

13       Sec. 8158.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
14 DUTIES. The district has the powers and duties provided by the  
15 general law of this state, including Chapters 49 and 54, Water Code,  
16 applicable to municipal utility districts created under Section 59,  
17 Article XVI, Texas Constitution.

18       Sec. 8158.102. ROAD PROJECTS. The district may construct,  
19 acquire, improve, maintain, or operate macadamized, graveled, or  
20 paved roads or turnpikes, or improvements in aid of those roads or  
21 turnpikes, inside or outside the district.

22       Sec. 8158.103. COMPLIANCE WITH MUNICIPAL CONSENT  
23 ORDINANCES OR RESOLUTIONS. Subject to the limitations of Section  
24 54.016, Water Code, the district shall comply with all applicable  
25 requirements of any ordinance or resolution adopted by the city  
26 council of the City of Houston, including an ordinance or  
27 resolution adopted before September 1, 2005, that consents to the

1 creation of the district or to the inclusion of lands within the  
2 district.

3 [Sections 8158.104-8158.150 reserved for expansion]

4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

5 Sec. 8158.151. TAX TO REPAY BONDS. The district may impose  
6 a tax to pay the principal of or interest on bonds issued under  
7 Section 8158.201.

8 [Sections 8158.152-8158.200 reserved for expansion]

9 SUBCHAPTER E. BONDS

10 Sec. 8158.201. AUTHORITY TO ISSUE BONDS AND OTHER  
11 OBLIGATIONS. (a) The district may issue bonds or other  
12 obligations as provided by Chapters 49 and 54, Water Code, to  
13 finance the construction, maintenance, or operation of projects  
14 under Sections 8158.101 and 8158.102.

15 (b) The district may not issue bonds to finance projects  
16 authorized by Section 8158.102 unless the issuance is approved by a  
17 vote of a two-thirds majority of the voters of the district voting  
18 at an election called for that purpose.

19 (c) Bonds or other obligations issued or incurred to finance  
20 projects authorized by Section 8158.102 may not exceed one-fourth  
21 of the assessed value of the real property in the district.

22 (d) Sections 49.181 and 49.182, Water Code, do not apply to  
23 a project undertaken by the district under Section 8158.102 or to  
24 bonds issued by the district to finance the project.

25 SECTION 2. The Harris County Municipal Utility District No.  
26 464 initially includes all the territory contained in the following  
27 area:

1 TRACT 1:  
2 FIELD NOTES FOR A 78.95 16 ACRE TRACT OF LAND BEING THE SOUTH 1/2 OF  
3 THE SOUTHWEST 1/4 OF THE H. & T. C. RMLROAD COMPANY SURVEY SECTION  
4 59 ABSTRACT 444, HARRIS COUNTY, TEXAS, SAID 78.95 16 ACRE TRACT  
5 BEING THAT CERTAIN CALLED 80.2305 ACRES (TRACT 1) LYLE TALBERT  
6 JORDAN, TRUSTEE OF THE LYLE TALBERT JORDAN NON GST TRUST, MYRNA JEAN  
7 JORDAN NAIL, TRUSTEE OF THE MYRNA JEAN JORDAN NAIL NON GST TRUSTEE  
8 TRUST COUNTY CLERK'S FILE NO. U348230, OFFICIAL PUBLIC RECORDS OF  
9 REAL PROPERTY, HARRIS COUNTY, TEXAS, THE BASE BEARING OF THE HEREIN  
10 DESCRIBED TRACT IS THE SOUTH LINE OF THE EAST 1/2 OF THE  
11 AFOREMENTIONED H & T. C. RAILROAD COMPANY SURVEY, SECTION 59,  
12 ABSTRACT 444, SAID BEARING BEING EAST.  
13 BEGINNING at a 1 inch iron rod found at the southeast corner of the  
14 south 1/2 of the southwest 1/4 of said Section 59 for the southeast  
15 corner Place of Beginning of the herein described 78.9516 acre  
16 tract of land, said point also being a southwest corner of the west  
17 1/2 of said Section 59, same being the northwest corner of the  
18 adjoining (tract 2) of the Lyle Talbert Jordan Trustee of the Lyle  
19 Talbert Jordan Non GST Trust, the Myrna Jean Jordan Nail Trustee of  
20 the Myrna Than Jordan Nail Non GST Trust, County Clerk's File  
21 U348230, Official Public Records of Real Property, Harris County,  
22 Texas, said point also being the northeast corner of the adjoining  
23 Dennis Donahue and wife, Pauline Donahue called 78 acre tract  
24 recorded in County Clerk's File No. P-955853, Official Public  
25 Records of Real Property, Harris County, Texas;  
26 THENCE South 89 degrees 58 minutes 50 seconds West along the south  
27 line of the herein described tract being a north line of the

1   aforementioned adjoining called 78 acre tract and a north line of  
2   the adjoining Melvin Jordan (called 14 acre tract) recorded in  
3   Volume 2936, Page 109, Deed Records, Harris County, Texas, for a  
4   distance of 2,601.80 feet to a 5/8 inch iron rod with cap marked  
5   "Kalkomey Surveying" set on the existing east margin of Katy  
6   Hockley Cut-Off Road for the southwest corner of the herein  
7   described tract being on the north line of the aforementioned  
8   Melvin Jordan called 14 acre tract;  
9   THENCE North 00 degrees 07 minutes 58 seconds West along the  
10   existing fenced east line of Katy Hockley Cut-Off Road for a  
11   distance of 1,321.97 feet to a 5/8 inch iron rod with cap marked  
12   "Kalkorney Surveying" set on said line for the northwest corner of  
13   the herein described tract, same being on the south line of the  
14   adjoining Hidden Forest Estate Subdivision recorded in Volume 410,  
15   Page 35, Harris County Map Records;  
16   THENCE North 89 degrees 58 minutes 50 seconds East along the common  
17   line of the herein described tract and the aforementioned adjoining  
18   Hidden Forest Estates Subdivision, at 641.39 feet pass a 5/8 inch  
19   iron rod at 848.22 feet pass a 5/8 inch iron rod, at 0.22 feet  
20   North, at 1058.40 feet pass a 5/8 inch. iron rod, 0.25 feet North,  
21   at 1,268.51 feet pass a 5/8 inch iron rod, 0.34 North and 1,478.41  
22   feet pass a 5/8 inch iron rod, 0.27 feet North, at 1,688.36 feet  
23   pass a 5/8 inch iron rod, 0.16 feet North, at 1,898.37 feet pass a  
24   5/8 inch iron rod, 0.19 North, at 2,108.32 feet pass a 5/8 inch iron  
25   rod, 0.18 feet North and continuing for a total distance of 2,604.73  
26   feet to a 1-1/4 inch iron pipe found for the northeast corner of the  
27   herein described tract being the southeast corner of the

1   aforementioned Hidden Forest Estates Subdivision and being in the  
2   west line of the adjoining 156.6146 acre tract (County Clerk's File  
3   No. W-871836, Official Public Records of Real Property, Harris  
4   County, Texas);

5   THENCE South 00 degrees 00 minutes 21 seconds East along the east  
6   line of the herein described tract and the west line of the  
7   aforementioned 156.6 146 acre tract, for a distance of 1,320.20  
8   feet to the Place of Beginning and containing 78.9516 acres of land,  
9   more or less, of which 1.7719 acres lie within the limits of a  
10   30-foot wide easement along the south line of the herein described  
11   tract (Beckendorff Road) leaving a net acreage of 77.1597 acres of  
12   land, more or less.

13   TRACT 2:

14   FIELD NOTES FOR A 156.6146 ACRE TRACT OF LAND BEING THE SOUTHWEST  
15   1/4 AND THE NORTHWEST 1/4 OF THE EAST 1/4 OF THE H. & T. C. RAILROAD  
16   COMPANY SURVEY, SECTION 59, ABSTRACT 444, AND BEING THAT CERTAIN  
17   CALLED 159.736 ACRE TRACT IN DEED TO JDP/EHP, ET. LP., A TEXAS  
18   LIMITED PARTNERSHIP, RECORDED IN COUNTY CLERK'S FILE NO. W871836,  
19   OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, THE  
20   BASE BEARING FOR THE HEREIN DESCRIBED TRACT IS THE SOUTH LINE OF  
21   SAID SECTION 59 AND SAID BEARING BEING EAST.

22   BEGINNING at a 1 inch iron rod found at the southwest corner of the  
23   east 1/2 of the aforementioned Section 59 for the southwest corner  
24   and Place of Beginning of the herein described 156.6 146 acre tract  
25   of land, same being the southeast corner of the west 14 of said  
26   Section 59, said corner also being the southeast corner of a called  
27   80,2305 acre tract (Tract 1) Lyle Talbert Jordan, Trustee of the



1 Lyle Talbert Non GST Trust, and Myrna Jean Jordan Nail, Trustee of  
2 the Myrna Jean Jordan Nail, Non GST Trust and being of record in  
3 County Clerk's File No. U348230, Official Records of Real Property,  
4 Harris County, Texas, said point also being the northeast corner of  
5 the adjoining Dennis O. Donahue and wife, Pauline O. Donahue called  
6 78 acre tract recorded in County Clerk's File No. P-955853,  
7 Official Public Records of Real Property, Harris County, Texas and  
8 the northwest corner of the adjoining 160.00 acre tract (Tract 2)  
9 Lyle Talbert Jordan, Trustee of the Lyle Talbert Jordan Non GST  
10 Trust, Myrna Jean Jordan Nail Trustee of the Myrna Jean Jordan Nail  
11 Non GST Trust County Clerk's File No. U348230, Official Public  
12 Records of Real Property, Harris County, Texas;  
13 THENCE North 00 degrees 00 minutes 21 seconds West along the west  
14 line of the herein described tract being the east line of the  
15 aforementioned adjoining called 80.2305 acre tract, 1,320.20 feet  
16 to a 1-1/4 iron pipe found on said line being the northeast corner  
17 of the aforementioned adjoining 80.2305 acre tract and being a  
18 southeast corner of the Hidden Forest Estates Subdivision recorded  
19 in Volume 410, Page 35, Harris County Map Records;  
20 THENCE North 00 degrees 01 minute 59 seconds East continuing along  
21 the west line of the herein described tract being the east line of  
22 the aforementioned Hidden Forest Estate Subdivision, 1,319.86 feet  
23 to a 1-1/4 iron pipe found at the northeast corner of said  
24 subdivision for an angle point, same being the southeast corner of  
25 the adjoining Jawad N. Alsheikh called 54.245 acre tract recorded  
26 in County Clerk's File No. J-047965, Official Public Records, of  
27 Real Property, Harris County, Texas;

1 THENCE North 00 degrees 18 minutes 55 seconds West continuing along  
2 the west line of the herein described tract being an east line of  
3 the aforementioned adjoining called 54.245 acre tract, at 875 feet  
4 pass a fence corner post (7.8 feet east) being the north line of the  
5 aforementioned adjoining 54.245 acre tract and the south line of  
6 the adjoining David Gerber, Trustee No. 2 called 100.00 acre tract  
7 recorded under County Clerk's File No. H541658, Official Public  
8 Records of Real Property, Harris County, Texas, and continuing  
9 along the common line of the herein described tract and the  
10 aforementioned adjoining called 100.00 acre tract, a total distance  
11 of 2,588.27 feet to a 5/8 inch iron rod found on said line at its  
12 point of intersection with the south right-of-way line of F.M  
13 Highway 529 (120 foot right-of-way);

14 THENCE South 89 degrees 36 minutes 38 seconds East along the  
15 southerly right-of-way line of F.M. Highway 529 being the northerly  
16 line of the herein described tract, 1,306.22 feet to a 5/8 inch iron  
17 rod found on said line for the northeast corner of the herein  
18 described tract, same being a northwest corner of the adjoining  
19 Akram A. Muihtaha called 158.039 acre tract recorded in County  
20 Clerk's File No. W-268492, Official Public Records of Real  
21 Property, Harris County, Texas;

22 THENCE South 00 degrees 13 minutes 28 seconds East (called South 00  
23 degrees 36 minutes 25 seconds East) at 5,189.43 feet pass a 5/8 inch  
24 iron rod with cap marked "Kalkomey Surveying" set on said line being  
25 the north margin of a 30-foot wide easement and continuing, for a  
26 total distance of 5,219.46 feet to a 5/8 inch iron rod, with cap  
27 marked "Kalkomey Surveying" set for the southeast corner of the

1 herein described 156.6 146 acre tract of land, same being on the  
2 common line of the aforementioned H. & T. C. Railroad Company  
3 Section 59 and the adjoining W. M. Salyars Survey, Abstract 1532,  
4 Harris County, Texas;

5 THENCE West along the south line of the herein described tract being  
6 the north line of the aforementioned adjoining called 160.00 acre  
7 tract and the common, line of the H. & T. C. Railroad Company  
8 Survey, Section 59 and the adjoining W. M. Salyars Survey, Abstract  
9 1532 (called South 89 degrees 26 minutes 49 seconds West, 1,313.02  
10 feet) for a distance of 1,313.03 feet to the Place of Beginning and  
11 containing 156.6146 acres of land, more or less, of which 0.9043  
12 acres lie within the limits of a 30-foot wide easement along the  
13 south line of said 156.6146 acre tract (Beckendorff Road) leaving a  
14 net acreage of 155.7103 acres of land, more or less.

15 TRACT 3:

16 FIELD NOTES FOR A 160.0000 ACRE TRACT OF LAND IN THE W. M. SALYARS  
17 SURVEY, ABSTRACT 1532, HARRIS COUNTY, TEXAS, BEING THE EAST 1/4 OF  
18 THE H. & T. C. RAILROAD COMPANY SURVEY, SECTION 60 (TRACT 2) LYLE  
19 TALBERT JORDAN, TRUSTEE OF THE LYLE TAIJBERT JORDAN NON GST TRUST,  
20 MYRNA JEAN JORDAN NAIL, TRUSTEE OF THE MYRNA JEAN JORDAN NAIL NON  
21 GST TRUST, RECORDED IN COUNTY CLERK'S FILE NO. U348230, OFFICIAL  
22 PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, THE BASE  
23 BEARING FOR THE HEREIN DESCRIBED TRACT IS THE NORTH LINE OF SAID  
24 160.0000 ACRE TRACT BEING THE NORTH LINE OF THE AFOREMENTIONED W. M.  
25 SALYARS SURVEY, ABSTRACT 1532, SAME BEING A SOUTH LINE OF THE  
26 ADJOINING H. & T. C. RAILROAD COMPANY SURVEY, SECTION 59, ABSTRACT  
27 444, SAID BEARING BEING EAST.

1 BEGINNING at a 1 inch iron rod found at the northwest corner of the  
2 aforementioned W. M. Salyars Survey, Abstract 1532, for the  
3 northwest corner and Place of Beginning of the herein described  
4 160.0000 acre tract of land, same being a northeast corner of the  
5 adjoining Dennis Donahue and wife, Pauline Donahue called 78 acre  
6 tract recorded in County Clerk's File No. P-955853, Official Public  
7 Records of Real Property, Harris County, Texas, same being a  
8 southeast corner of the adjoining 78.9516 acre tract, Lyle Talbert  
9 Jordan, Trustee of the Lyle Talbert Jordan Non GST Trust, Myrna Jean  
10 Jordan Nail, Trustee of the Myrna Jean Jordan Nail Non GST Trust,  
11 said point also being a southwest corner of the west 1/2 of said  
12 Section 59, same being a southwest corner of the adjoining 156.6146  
13 acre tract, JDP/EHP, ET. LP. a Texas Limited Partnership, recorded  
14 in County Clerk's File W-871836, Official Public Records, Harris  
15 County, Texas;

16 THENCE East along the north line of the herein described tract being  
17 a south line of the aforementioned adjoining 156.6146 acre tract,  
18 at 1,313.03 feet pass a 5/8 inch iron rod set on said line at the  
19 southeast corner of the aforementioned adjoining 156.6146 acre  
20 tract and continuing for a total distance of 2,639.75 feet to a 3/4  
21 inch iron pipe found on said line for the northeast corner of the  
22 herein described tract, same being a southeast corner of the  
23 aforementioned H. & T. C. Railroad Company Survey, Section 59,  
24 Abstract 444, said point also being a southwest corner of the  
25 adjoining A.R Connell Survey, Abstract 1387, said point also being  
26 a northwest corner of the H. & T. C. Railroad Company Section 47,  
27 Abstract 440;

1 THENCE South 00 degrees 03 minutes 53 seconds East along the east  
2 line of the herein described tract being the west line of the  
3 aforementioned H. & T. C, Railroad Company Survey, Section 47,  
4 Abstract 440, same being the west line of a called 73.8972 acre  
5 tract recorded in County Clerk's File No, R 7108 Official Public  
6 Records of Real Property, Harris County, Texas and a portion of the  
7 west line of an adjoining called 84.6828 acre tract recorded in  
8 County Clerk's File No. R789123, Official Public Records of Real  
9 Property, Harris County, Texas for a distance of 2,640.00 feet to a  
10 1-1/4 inch iron pipe found on said tine for the southeast corner of  
11 the herein described tract, same being a northeast corner of an  
12 adjoining called 160 acre tract recorded in Volume 7035, Page 410 &  
13 Volume 857, Page 640, Deed Records, Harris County, Texas, and being  
14 the southeast 1/4 of the H. & T. C. Railroad Company Survey, Section  
15 60;

16 THENCE South 89 degrees 59 minutes 43 seconds West along the south  
17 line of the herein described tract and the aforementioned adjoining  
18 cal led 160.00 acre tract, 2,640.00 feet to a 1-1/4 iron pipe found  
19 on said line for the southwest corner of the herein described  
20 160.0000 acre tract of land, same being a northwest corner of the  
21 aforementioned adjoining 160.00 acre tract, said point also being  
22 the southeast corner of adjoining Farid Bakht Trustee, called 17.00  
23 acre tract (Tract A), recorded in S1 47734, Official Public Records  
24 of Real Property, Harris County, Texas;

25 THENCE North 00 degrees 03 minutes 36 seconds West along the west  
26 line of the herein described tract being the cast line of the  
27 aforementioned adjoining tract, at 280.54 feet pass a 1/2 inch iron

1 pipe found with cap 0.88 feet East, being the northeast corner of  
2 the aforementioned adjoining called 17.00 acre tract, (Tract A) and  
3 the southeast corner of the adjoining called 17 acre tract, (Tract  
4 B) recorded in County Clerk's File No. S345743, Official Public  
5 Records of Real Property, Harris County, Texas, at 560.78 feet pass  
6 a 1/2 inch iron rod 1.35 feet east, being the northeast corner of  
7 the aforementioned Tract B, same being the southeast corner of the  
8 adjoining Tract C, recorded in County Clerk's File No. P006246,  
9 Official Public Records of Real Property, Harris County, Texas, at  
10 841.51 feet pass a 3/4 inch iron pipe being 2.2 feet east, being the  
11 northeast corner of the aforementioned Tract C and the southeast  
12 corner of Tract B recorded in County Clerk's File P006244, Official  
13 Public Records, Harris County, Texas, at 1,122.45 feet pass a 5/8  
14 inch iron rod with cap marked "Kalkomey Surveying" set on said line  
15 for the northeast corner of the aforementioned Tract D, same being a  
16 southeast corner of the adjoining Dennis Donahue and wife, Pauline  
17 Donahue called 78 acre tract recorded in County Clerk's File No.  
18 P955853, Official Public Records, Harris County, Texas and  
19 continuing for a total distance of 2,640.22 feet to the Place of  
20 Beginning and containing 160.0000 acres of land, of which 1.8180  
21 acres lie within the limits of a 30-foot wide easement adjoining the  
22 north line of the herein described tract and 1.7974 acres lie within  
23 the limits of a 30-foot wide strip of land along the east line of the  
24 herein described tract leaving a net acreage of 156.3845 acres of  
25 land, more or less.

26 SECTION 3. (a) The legal notice of the intention to  
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a  
2 copy of this Act have been furnished to all persons, agencies,  
3 officials, or entities to which they are required to be furnished  
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
5 Government Code.

6 (b) The governor, one of the required recipients, has  
7 submitted the notice and Act to the Texas Commission on  
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed  
10 its recommendations relating to this Act with the governor, the  
11 lieutenant governor, and the speaker of the house of  
12 representatives within the required time.

13 (d) All requirements of the constitution and laws of this  
14 state and the rules and procedures of the legislature with respect  
15 to the notice, introduction, and passage of this Act are fulfilled  
16 and accomplished.

17 SECTION 4. This Act takes effect September 1, 2005.