

By: Talton

H.B. No. 4080

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris County Municipal Utility District No. 509; 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 8217 to read as follows:

CHAPTER 8217. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 509

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8217.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Harris County Municipal Utility District No. 509.

Sec. 8217.002. NATURE OF DISTRICT. (a) The district is a municipal utility district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

(b) The district, to the extent authorized by Section 8217.103 and Section 52, Article III, Texas Constitution, has road powers.

Sec. 8217.003. CONFIRMATION ELECTION REQUIRED. The board shall hold an election to confirm the creation of the district as provided by Section 49.102, Water Code.

1 Sec. 8217.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. All
2 land and other property in the district will benefit from the
3 improvements and services to be provided by the district.

4 Sec. 8217.005. INITIAL DISTRICT TERRITORY. (a) The
5 district is initially composed of the territory described by
6 Section 2 of the Act creating this chapter.

7 (b) The boundaries and field notes contained in Section 2 of
8 the Act creating this chapter form a closure. A mistake in the
9 field notes or in copying the field notes in the legislative process
10 does not affect the district's:

11 (1) organization, existence, or validity;

12 (2) right to issue any type of bond for a purpose for
13 which the district is created or to pay the principal of and
14 interest on the bond;

15 (3) right to impose an assessment or tax; or

16 (4) legality or operation.

17 [Sections 8217.006-8217.050 reserved for expansion]

18 SUBCHAPTER B. BOARD OF DIRECTORS

19 Sec. 8217.051. GOVERNING BODY; TERMS. (a) The district is
20 governed by a board of five elected directors.

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

22 Sec. 8217.052. INITIAL DIRECTORS. (a) The initial board
23 consists of:

24 (1) Alan Mueller;

25 (2) Wesley Christensen;

26 (3) Frederick W. Graney;

27 (4) Joseph Perillo; and

1 (5) Paul M. Merriman.

2 (b) Unless the initial board agrees otherwise, the initial
3 directors shall draw lots to determine which two shall serve until
4 the first regularly scheduled election of directors and which three
5 shall serve until the second regularly scheduled election of
6 directors.

7 (c) This section expires September 1, 2014.

8 [Sections 8217.053-8217.100 reserved for expansion]

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8217.101. GENERAL POWERS AND DUTIES. The district has
11 the powers and duties necessary to accomplish the purposes for
12 which the district is created.

13 Sec. 8217.102. 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. 8217.103. ROAD PROJECTS. (a) Under Section 52,
19 Article III, Texas Constitution, the district may finance,
20 construct, or acquire a road project as provided by this section.

21 (b) The district shall employ or contract with a licensed
22 engineer to certify whether a proposed road project meets the
23 criteria for a thoroughfare, arterial, or collector road of:

24 (1) a county in whose jurisdiction the proposed road
25 project is located; or

26 (2) a municipality in whose corporate limits or
27 extraterritorial jurisdiction the proposed road project is

1 located.

2 (c) The district may finance, construct, or acquire a road
3 that has been certified by the licensed engineer as a thoroughfare,
4 arterial, or collector road, or any improvements in aid of the
5 certified road.

6 (d) A road project must meet all applicable standards,
7 regulations, ordinances, or orders of:

8 (1) each municipality in whose corporate limits or
9 extraterritorial jurisdiction the road project is located; and

10 (2) each county in which the road project is located if
11 the road project is not located in the corporate limits of a
12 municipality.

13 (e) The district may, with the consent of the municipality
14 or county, convey a completed road project to:

15 (1) a municipality in whose corporate limits or
16 extraterritorial jurisdiction the road project is located; or

17 (2) a county in which the road project is located.

18 Sec. 8217.104. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
19 OR RESOLUTION. The district shall comply with all applicable
20 requirements of any ordinance or resolution, adopted by the
21 governing body of a municipality under Section 54.016, Water Code,
22 that consents to the creation of the district or to the inclusion of
23 land in the district.

24 [Sections 8217.105-8217.150 reserved for expansion]

25 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

26 Sec. 8217.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
27 district may issue, without an election, bonds and other

1 obligations secured by revenue or contract payments from a source
2 other than ad valorem taxation.

3 (b) The district must hold an election in the manner
4 provided by Chapters 49 and 54, Water Code, to obtain voter approval
5 before the district may impose an ad valorem tax or issue bonds
6 payable from ad valorem taxes.

7 (c) The district may not issue bonds payable from ad valorem
8 taxes to finance a road project unless the issuance is approved by a
9 vote of a two-thirds majority of district voters voting at an
10 election held for that purpose.

11 Sec. 8217.152. OPERATION AND MAINTENANCE TAX. (a) If
12 authorized at an election held under Section 8217.151, the district
13 may impose an operation and maintenance tax on taxable property in
14 the district as provided by Section 49.107, Water Code.

15 (b) The board shall determine the tax rate. The rate may not
16 exceed the rate approved at the election.

17 [Sections 8217.153-8217.200 reserved for expansion]

18 SUBCHAPTER E. BONDS

19 Sec. 8217.201. AUTHORITY TO ISSUE BONDS AND OTHER
20 OBLIGATIONS. The district may issue bonds or other obligations
21 payable wholly or partly from ad valorem taxes, impact fees,
22 revenue, grants, or other district money, or any combination of
23 those sources, to pay for any authorized district purpose.

24 Sec. 8217.202. BONDS FOR ROAD PROJECTS. At the time of
25 issuance, the total principal amount of a bond, note, or other
26 obligation issued or incurred to finance a road project may not
27 exceed one-fourth of the assessed value of real property in the

1 district according to the most recent certified tax appraisal roll
2 for Harris County.

3 Sec. 8217.203. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
4 the time bonds or other obligations payable wholly or partly from ad
5 valorem taxes are issued:

6 (1) the board shall impose a continuing direct annual
7 ad valorem tax, without limit as to rate or amount, for each year
8 that all or part of the bonds are outstanding; and

9 (2) the district annually shall impose an ad valorem
10 tax on all taxable property in the district in an amount sufficient
11 to:

12 (A) pay the interest on the bonds or other
13 obligations as the interest becomes due;

14 (B) create a sinking fund for the payment of the
15 principal of the bonds or other obligations when due or the
16 redemption price at any earlier required redemption date; and

17 (C) pay the expenses of imposing the taxes.

18 SECTION 2. The Harris County Municipal Utility District No.
19 509 initially includes all the territory contained in the following
20 area:

21 All that certain tract or parcel containing 387.912 acres of land in
22 the Thomas J. Green Survey, A-290, Harris County, Texas, being all
23 or parts of Lots 2, 3, 4 and 5; Lots 7, 8, 9 and 10; Lots 18, 19, 20
24 and 21; Lots 28, 29, 30, 32, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44,
25 45, 46, 47, 48, 50 and 53; Lots 54, 55, 56, 57, 58, 59, 60, 61, 62,
26 65, 66, 68 and 69; Lots 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 82
27 and 83; Lots 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 100 and

1 101; Lots 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118 and
2 119 of the Allison Richey Gulf Coast Home Company Subdivision,
3 Section G, a subdivision of record on Volume 4, Page 48 of the Map
4 Records of said Harris County (H.C.M.R.) and being more
5 particularly described by metes and bounds as follows, all bearings
6 referenced to the Texas State Plane Coordinate System, South
7 Central Zone (NAD 83);

8 BEGINNING at the southerly corner of Green Tee Terrace Section
9 Seven, a subdivision of record on Film Code No. 352062 of said
10 H.C.M.R., same being on a northerly line of that certain 80.0 foot
11 wide tract called 3.636 acres conveyed to Houston Lighting & Power
12 Company by an instrument of record in File No. E131167 of the
13 Official Public Records Of Real Property of said Harris County
14 (H.C.O.P.R.O.R.P.);

15 Thence South $42^{\circ} 08' 06''$ West, 3957.07 feet with said north line and
16 with the north line of those certain 80.0 foot wide tracts conveyed
17 to said Houston Lighting & Power Company in File No.'s D494447,
18 D502503, D478952 and D508832 of the H.C.O.P.R.O.R.P. to a point for
19 corner on the common line between Lot 119 and Lot 120 of the
20 aforesaid subdivision;

21 Thence North $48^{\circ} 19' 44''$ West, 566.86 feet with the common line
22 between said Lot 119 and 120 to a point for corner, the common
23 corner of Lots 102 and 103 and Lots 119 and 120 of said subdivision;

24 Thence North $42^{\circ} 07' 56''$ East, 330.00 feet with the common line
25 between Lot 102 and 119 to a point for corner, the common corner of
26 Lots 101 and 102 and Lots 118 and 119 of said subdivision;

27 Thence North $48^{\circ} 19' 44''$ West, 647.11 feet (called 660.0 feet) with

1 the common line between Lot 101 and Lot 102 to a point for corner,
2 the common corner of Lots 84 and 85 and Lots 101 and 102 of said
3 subdivision;

4 Thence North 42° 07' 56" East, 330.00 feet with the common line
5 between Lot 84 and Lot 101 to a point for corner, the common corner
6 of Lots 83 and 84 and Lots 100 and 101 of said subdivision;

7 Thence North 48° 19' 44" West, 647.11 feet (called 660.00 feet) with
8 the common line between Lot 83 and 84 to a point for corner, the
9 common corner of Lot 67 and 68 and Lots 83 and 84 of said
10 subdivision;

11 Thence South 42° 07' 56" West, 877.28 feet with the common line
12 between Lots 68 and 69 and Lots 84, 85 and 86 to a point for corner,
13 the easterly corner of that certain 210.0 foot wide strip of land
14 recorded in Volume 2314, Page 127 of the Deed Records of said Harris
15 County (H.C.D.R.);

16 Thence with the easterly lines of said 210.0 foot wide strip the
17 following five (5) courses;

- 18 1) North 57° 18' 18" West, 180.49 feet to a point for corner;
 - 19 2) North 26° 50' 46" West, 51.04 feet to a point for corner;
 - 20 3) North 17° 28' 08" West, 74.50 feet to a point for corner;
 - 21 4) North 13° 24' 13" West, 217.19 feet to a point for corner;
 - 22 5) North 27° 01' 02" West, 190.55 feet to a point for corner
- 23 on the common line between Lot 69 and Lot 53 of the aforesaid
24 subdivision;

25 Thence South 42° 07' 56" West, 206.43 feet with the common line
26 between said Lot 53 and Lot 69 to a point for corner on the
27 centerline of Clear Creek, same being the common west corner of said

1 Lot 53 and Lot 69;

2 Thence upstream with the centerline of Clear Creek and with the
3 westerly lines of Lot No. 53 the following eight (8) courses;

- 4 1) North 28° 13' 31" West, 143.02 feet to a point for corner;
- 5 2) North 23° 23' 07" West, 48.31 feet to a point for corner;
- 6 3) North 10° 53' 08" West, 63.46 feet to a point for corner;
- 7 4) North 02° 14' 45" East, 122.33 feet to a point for corner;
- 8 5) North 07° 56' 37" East, 104.06 feet to a point for corner;
- 9 6) North 16° 35' 53" East, 260.10 feet to a point for corner;
- 10 7) North 14° 33' 10" West, 63.63 feet to a point for corner;
- 11 8) North 31° 21' 48" West, 120.50 feet to a point for corner,

12 the common west corner of Lot 53 and Lot 38 of said subdivision;

13 Thence continuing upstream with the centerline of said Clear Creek
14 and with the westerly lines of said Lot 38 the following eight (8)
15 courses;

- 16 1) North 31° 53' 45" West, 50.27 feet to a point for corner;
- 17 2) North 25° 54' 16" West, 80.45 feet to a point for corner;
- 18 3) North 21° 23' 03" West, 81.24 feet to a point for corner;
- 19 4) North 37° 23' 51" West, 68.61 feet to a point for corner;
- 20 5) North 54° 27' 29" West, 96.35 feet to a point for corner;
- 21 6) North 66° 17' 03" West, 136.22 feet to a point for corner;
- 22 7) North 08° 30' 00" West, 227.09 feet to a point for corner;
- 23 8) North 35° 21' 42" West, 221.02 feet to a point for corner,

24 the northwesterly corner of said Lot 38;

25 Thence North 73° 27' 51" East, 422.00 feet with the north line of
26 said Lot 38 to a point for corner, the northeast corner of Lot 38,
27 same being the common north corner of Lot 38 and 37 of said

1 subdivision;

2 Thence South 48° 19' 44" East, 660.00 feet with the common line
3 between said Lot 38 and Lot 37 to a point for corner, the common
4 corner of Lots 37 and 38 and Lots 51 and 52 of said subdivision;

5 Thence South 42° 07' 56" West, 330.00 feet with the common line
6 between Lots 38 and 52 to a point for corner, the common corner of
7 Lots 52 and 53;

8 Thence South 48° 19' 24" East, 1294.22 feet (called 1320.00 feet)
9 with the common line between Lots 52 and 53 and Lots 67 and 68 to a
10 point for corner, the common corner of Lots 67 and 68 and Lots 83 and
11 84;

12 Thence North 42° 07' 56" East, 330.12 feet with the common line
13 between Lots 67 and 83 to a point for corner, the common corner of
14 Lots 66 and 67 and Lots 82 and 83 of said subdivision;

15 Thence North 48° 19' 44" West, 647.11 feet (called 660.00 feet) with
16 the common line between Lots 66 and 67 to a point for corner, the
17 common corner of Lots 51 and 52 and Lots 66 and 67 of said
18 subdivision;

19 Thence North 42° 07' 56" East, 330.00 feet with the common line
20 between Lots 51 and 66 to a point for corner, the common corner of
21 Lots 50 and 51 and Lots 65 and 66 of said subdivision;

22 Thence North 48° 19' 44" West, 647.11 feet (called 660.00 feet) with
23 the common line between Lots 50 and 51 to a point for corner on the
24 southerly line of Lot 37 and the common corner of Lots 50 and 51 of
25 said subdivision;

26 Thence North 42° 07' 56" East, 330.00 feet with the common line
27 between Lots 37 and 50 to a point for corner, the common corner of

1 Lots 36 and 37 and Lots 49 and 50 of said subdivision;
2 Thence South 48° 19' 44" East, 1294.22 (called 1320.00) feet with
3 the common line between Lots 49 and 50, and Lots 64 and 65 to a point
4 for corner, the common corner of Lots 64 and 65 and Lots 80 and 81 of
5 said subdivision;
6 Thence South 42° 07' 56" West, 330.22 feet with the common line
7 between Lots 65 and 81 to a point for corner, the common corner of
8 Lots 65 and 66 and Lots 81 and 82 of said subdivision;
9 Thence South 48° 19' 44" East, 1294.22 feet (called 1320.00 feet)
10 with the common line between Lots 81 and 82 and Lots 98 and 99 to a
11 point for corner, the common corner of Lots 98 and 99 and Lots 115
12 and 116 of said subdivision;
13 Thence North 42° 07' 56" East, 330.22 feet (called 330.00 feet) with
14 the common line between Lots 98 and 115 to a point for corner, the
15 common corner of Lots 97 and 98 and Lots 114 and 115 of said
16 subdivision;
17 Thence North 48° 19' 44" West, 1294.22 feet with the common line
18 between Lots 80 and 81 and Lots 97 and 98 to a point for corner, the
19 common corner of Lots 64 and 65 and Lots 80 and 81 of said
20 subdivision;
21 Thence North 42° 07' 56" East, 660.00 feet with the common line
22 between Lots 63 and 64 and Lots 79 and 80 to a point for corner, the
23 common corner of Lots 62 and 63 and Lots 78 and 79 of said
24 subdivision;
25 Thence North 48° 19' 44" West, 647.11 feet (called 660.00 feet) with
26 the common line between Lots 62 and 63 to a point for corner, the
27 common corner of Lots 47 and 48 and Lots 62 and 63 of said

1 subdivision;

2 Thence South $42^{\circ} 07' 56''$ West, 330.00 feet with the common line
3 between Lots 48 and 63 to a point for corner, the common corner of
4 Lots 48 and 49 and Lots 63 and 64 of said subdivision;

5 Thence North $48^{\circ} 19' 44''$ West, 977.11 feet with the common line
6 between Lots 48 and 49 and Lots 35 and 36 to a point for corner, the
7 westerly corner of the south one-half of Lot 35 of said subdivision;

8 Thence North $42^{\circ} 07' 56''$ East, 660.00 feet with the northerly line of
9 the south one-half of Lots 34 and 35 to a point for corner, the
10 easterly corner of the south one half of Lot 34 and on the common
11 line between Lots 33 and 34 of said subdivision;

12 Thence North $48^{\circ} 19' 44''$ West, 330.00 feet with the common line
13 between Lots 33 and 34 to a point for corner, the common corner of
14 Lots 23 and 24 and Lots 33 and 34 of said subdivision;

15 Thence North $42^{\circ} 07' 56''$ East, 660.00 feet with the common line
16 between Lots 22 and 23 and Lots 32 and 33 to a point for corner, the
17 common corner of Lots 21 and 22 and Lots 31 and 32 of said
18 subdivision;

19 Thence South $48^{\circ} 14' 43''$ East, 660.29 feet (called 660.00 feet) with
20 the common line between Lots 31 and 32 to a point for corner, the
21 common corner of Lots 31 and 32 and Lots 44 and 45 of said
22 subdivision;

23 Thence North $42^{\circ} 07' 37''$ East, 330.00 feet with the common line
24 between Lots 31 and 44 to a point for corner, the common corner of
25 Lots 30 and 31 and Lots 43 and 44 of said subdivision;

26 Thence North $48^{\circ} 14' 43''$ West, 660.26 feet (called 660.00 feet) with
27 the common line between Lots 30 and 31 to a point for corner, the

1 common corner of Lots 20 and 21 and Lots 30 and 31 of said
2 subdivision;
3 Thence South $42^{\circ} 07' 56''$ West, 330.00 feet with the common line
4 between Lots 21 and 31 to a point for corner, the common corner of
5 Lots 21 and 22 and Lots 31 and 32 of said subdivision;
6 Thence North $48^{\circ} 19' 44''$ West, 660.00 feet with the common line
7 between Lots 21 and 22 to a point for corner, the common corner of
8 Lots 12 and 13 and Lots 21 and 22 of said subdivision;
9 Thence North $42^{\circ} 07' 56''$ East, 660.00 feet with the common line
10 between Lots 11 and 12 and Lots 20 and 21 to a point for corner, the
11 common corner of Lots 10 and 11 and Lots 19 and 20 of said
12 subdivision;
13 Thence North $48^{\circ} 19' 44''$ West, 660.00 feet with the common line
14 between Lots 10 and 11 to a point for corner on the southerly line of
15 Lot 3 of said subdivision and the common corner of Lots 10 and 11 of
16 said subdivision;
17 Thence South $42^{\circ} 07' 56''$ West, 1320.00 feet with the southerly lines
18 of Lot 3, 4 and 5 and with the northerly lines of Lots 11, 12, 13 and
19 14 to a point for corner, the common corner of Lots 5 and 6 and Lots
20 14 and 15 of said subdivision;
21 Thence North $47^{\circ} 52' 04''$ West, 267.53 feet with the common line
22 between Lot 5 and Lot 6 to a point for corner;
23 Thence North $41^{\circ} 56' 38''$ East, 2156.78 feet to a point for corner on
24 the common line of Lot 1 and Lot 2 of said subdivision; Thence South
25 $47^{\circ} 51' 23''$ East, 274.62 feet with the common line between said Lot 1
26 and Lot 2 to a point for corner on the northerly line of Lot 8 of
27 said subdivision;

1 Thence North $42^{\circ} 07' 56''$ East, 480.60 feet with the common line
2 between Lot 1 and Lot 7 and Lot 8 to a point for corner, the easterly
3 corner of Lot 1, the northerly corner of lot 7 of said subdivision,
4 on an easterly line of said subdivision and on an easterly line of
5 said Green Survey; Thence South $48^{\circ} 18' 49''$ East, 660.00 feet with
6 the easterly line of Lot 7 of said subdivision and with the common
7 line between said subdivision and survey line to a point for corner
8 on the common line between Lot 7 and Lot 16 of said subdivision;

9 Thence South $42^{\circ} 07' 56''$ West, 657.14 feet (called 660.00 feet)
10 departing said easterly lines and with the common line between Lots
11 7 and 8 and Lots 16 and 17 to a point for corner, the common corner
12 of Lots 8 and 9 and Lots 17 and 18 of said subdivision;

13 Thence South $48^{\circ} 19' 44''$ East, 1406.86 feet with the common line
14 between Lots 17 and 18 and Lots 27 and 28 and with a southeasterly
15 extension of said common line to a point for corner on a northerly
16 line of that certain tract called 15.00 acres conveyed to the
17 Pasadena Independent School District by an instrument of record in
18 File No. X972393 of the H.C.O.P.R.O.R.P. and on the arc of a curve
19 whose center bears South $48^{\circ} 41' 31''$ East;

20 Thence with the northerly lines of said 15.00 acre tract the
21 following two (2) courses;

22 1) 412.29 feet along the arc of a non-tangent curve to the
23 left, having a central angle of $27^{\circ} 09' 07''$, a radius of 870.00 feet
24 and a chord which bears South $27^{\circ} 43' 56''$ West, 408.44 feet to a
25 point for corner, a point of compound curve;

26 2) 40.90 feet along the arc of a curve to the left, having a
27 central angle of $93^{\circ} 44' 34''$, a radius of 25.00 feet and a chord

1 which bears South 32° 42' 37" East, 36.49 feet to a point for corner
2 at the end of said curve;

3 Thence with the westerly lines of said 15.00 acre tract the
4 following two (2) courses;

5 1) South 79° 34' 34" East, 78.55 feet to a point for corner,
6 the beginning of a curve;

7 2) 526.73 feet along the arc of a curve to the right, having
8 a central angle of 24° 32' 10", a radius of 1230.00 feet and a chord
9 which bears South 67° 18' 29" East, 522.71 feet to a point for
10 corner;

11 Thence North 41° 35' 56" East, 852.05 feet to a point for corner on
12 the westerly line of the aforesaid Houston Lighting & Power Company
13 5.721 acre tract;

14 Thence South 48° 18' 49" East, 1803.20 feet with the westerly line of
15 said 5.721 acre tract and with a westerly line of that certain tract
16 called 1.938 acres conveyed to Houston Lighting & Power Company by
17 an instrument of record in File No. D482104 of the H.C.O.P.R.O.R.P.
18 to a point for corner on the northerly line of the aforesaid Green
19 Tee Terrace Section Seven;

20 Thence South 42° 14' 25" West, 1318.98 feet with a northerly line of
21 said Green Tee Terrace to a point for corner, the westerly corner of
22 said Green Tee Terrace;

23 Thence South 48° 18' 35" East, 579.30 feet with the westerly line of
24 said Green Tee Terrace to the POINT OF BEGINNING and containing
25 387.912 acres of land.

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 immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2007.