

By: Phillips

H.B. No. 4096

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the King's Crossing Municipal Utility District of Grayson County; 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 8251 to read as follows:

CHAPTER 8251. KING'S CROSSING MUNICIPAL UTILITY DISTRICT OF  
GRAYSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8251.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the King's Crossing Municipal Utility District of Grayson County.

Sec. 8251.002. NATURE OF DISTRICT. The district is a municipal utility district in Grayson County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 8251.003. FINDING OF PUBLIC USE AND BENEFIT. The district is created to serve a public use and benefit.

Sec. 8251.004. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8251.023 before September 1, 2009:

1           (1) the district is dissolved September 1, 2009,  
2 except that the district shall:

3                   (A) pay any debts incurred;

4                   (B) transfer to Grayson County any assets that  
5 remain after the payment of debts; and

6                   (C) maintain the organization of the district  
7 until all debts are paid and remaining assets are transferred; and

8           (2) this chapter expires September 1, 2012.

9           Sec. 8251.005. 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 8251.006-8251.020 reserved for expansion]

21                   SUBCHAPTER A-1. TEMPORARY PROVISIONS

22           Sec. 8251.021. TEMPORARY DIRECTORS. (a) The temporary  
23 board consists of:

24                   (1) \_\_\_;

25                   (2) \_\_\_;

26                   (3) \_\_\_;

27                   (4) \_\_\_; and

1           (5) \_\_\_\_\_.

2           (b) If a temporary director fails to qualify for office, the  
3 temporary directors who have qualified shall appoint a person to  
4 fill the vacancy. If at any time there are fewer than three  
5 qualified temporary directors, the Texas Commission on  
6 Environmental Quality shall appoint the necessary number of persons  
7 to fill all vacancies on the board.

8           (c) Temporary directors serve until the earlier of:

9           (1) the date directors are elected under Section  
10 8251.023; or

11           (2) the date this chapter expires under Section  
12 8251.004.

13           Sec. 8251.022. ORGANIZATIONAL MEETING OF TEMPORARY  
14 DIRECTORS. As soon as practicable after all the temporary  
15 directors have qualified under Section 49.055, Water Code, the  
16 temporary directors shall convene the organizational meeting of the  
17 district at a location in the district agreeable to a majority of  
18 the directors. If a location cannot be agreed upon, the  
19 organizational meeting shall be at the Grayson County Courthouse.

20           Sec. 8251.023. CONFIRMATION AND INITIAL DIRECTORS'  
21 ELECTION. The temporary directors shall hold an election to  
22 confirm the creation of the district and to elect five directors as  
23 provided by Section 49.102, Water Code.

24           Sec. 8251.024. INITIAL ELECTED DIRECTORS; TERMS. The  
25 directors elected under Section 8251.023 shall draw lots to  
26 determine which two shall serve until the first regularly scheduled  
27 election of directors and which three shall serve until the second

1 regularly scheduled election of directors.

2 Sec. 8251.025. EXPIRATION OF SUBCHAPTER. This subchapter  
3 expires September 1, 2012.

4 [Sections 8251.026-8251.050 reserved for expansion]

5 SUBCHAPTER B. BOARD OF DIRECTORS

6 Sec. 8251.051. DIRECTORS; TERMS. (a) The district is  
7 governed by a board of five directors.

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

9 [Sections 8251.052-8251.100 reserved for expansion]

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8251.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
12 DUTIES. The district has the powers and duties provided by the  
13 general law of this state, including Chapters 49 and 54, Water Code,  
14 applicable to municipal utility districts created under Section 59,  
15 Article XVI, Texas Constitution.

16 Sec. 8251.102. ROAD PROJECTS. (a) The district may  
17 construct, acquire, improve, maintain, or operate macadamized,  
18 graveled, or paved roads or improvements in aid of those roads.

19 (b) A road project must meet all applicable construction  
20 standards, zoning and subdivision requirements, and regulations of  
21 each municipality in whose corporate limits or extraterritorial  
22 jurisdiction the district is located. If the district is not  
23 located in the corporate limits or extraterritorial jurisdiction of  
24 a municipality, a road project must meet all applicable  
25 construction standards, zoning and subdivision requirements, and  
26 regulations of each county in which the district is located.

27 (c) The district may not undertake a road project unless

1 each municipality in whose corporate limits or extraterritorial  
2 jurisdiction the district is located consents by resolution. If  
3 the district is not located in the corporate limits or  
4 extraterritorial jurisdiction of a municipality, the district may  
5 not undertake a road project unless each county in which the  
6 district is located consents by resolution.

7 Sec. 8251.103. ROAD CONTRACTS. The district may contract  
8 for a road project in the manner provided by Subchapter I, Chapter  
9 49, Water Code.

10 [Sections 8251.104-8251.150 reserved for expansion]

11 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

12 Sec. 8251.151. OPERATION AND MAINTENANCE TAX. (a) The  
13 district may impose a tax for any district operation and  
14 maintenance purpose in the manner provided by Section 49.107, Water  
15 Code.

16 (b) Section 49.107(f), Water Code, does not apply to  
17 reimbursements for projects constructed or acquired under Section  
18 8251.102.

19 Sec. 8251.152. TAX TO REPAY BONDS. The district may impose  
20 a tax to pay the principal of and interest on bonds issued under  
21 Section 8251.201.

22 Sec. 8251.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND  
23 ASSESSMENTS. The district may not impose an impact fee or  
24 assessment on the property, including the equipment,  
25 rights-of-way, facilities, or improvements, of:

26 (1) an electric utility or a power generation company  
27 as defined by Section 31.002, Utilities Code;

1           (2) a gas utility as defined by Section 101.003 or  
2 121.001, Utilities Code;

3           (3) a telecommunications provider as defined by  
4 Section 51.002, Utilities Code;

5           (4) a cable operator as defined by 47 U.S.C. Section  
6 522; or

7           (5) a person who provides to the public advanced  
8 telecommunications services.

9           [Sections 8251.154-8251.200 reserved for expansion]

10                           SUBCHAPTER E. BONDS

11           Sec. 8251.201. AUTHORITY TO ISSUE BONDS AND OTHER  
12 OBLIGATIONS. (a) The district may issue bonds or other obligations  
13 as provided by Chapters 49 and 54, Water Code, and to finance the  
14 construction, maintenance, or operation of projects under Section  
15 8251.102.

16           (b) The district may issue bonds or other obligations  
17 payable wholly or partly from ad valorem taxes, impact fees,  
18 revenue, grants, or other district money.

19           (c) The district may not issue bonds or other obligations  
20 secured wholly or partly by ad valorem taxation to finance projects  
21 authorized by Section 8251.102 unless the issuance is approved by a  
22 vote of a two-thirds majority of district voters voting at an  
23 election called for that purpose.

24           (d) Bonds or other obligations issued or incurred to finance  
25 projects authorized by Section 8251.102 may not exceed one-fourth  
26 of the assessed value of the real property in the district.

27           (e) Sections 49.181 and 49.182, Water Code, do not apply to

1 a project undertaken by the district under Section 8251.102 or to  
2 bonds issued by the district to finance the project.

3 [Sections 8251.202-8251.250 reserved for expansion]

4 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

5 Sec. 8251.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At  
6 any time before the district issues indebtedness secured by taxes  
7 or net revenue, the district may be divided into two or more new  
8 districts.

9 (b) A new district created by division of the district must  
10 be at least 100 acres.

11 (c) Any new district created by the division of the district  
12 may not, at the time the new district is created, contain any land  
13 outside the area described by Section 2 of the Act creating this  
14 chapter.

15 (d) The board may consider a proposal to divide the district  
16 on:

17 (1) a petition of a landowner in the district; or

18 (2) a motion by the board.

19 (e) If the board decides to divide the district, the board  
20 shall:

21 (1) set the terms of the division, including names for  
22 the new districts and a plan for the payment or performance of any  
23 outstanding district obligations; and

24 (2) prepare a metes and bounds description for each  
25 proposed district.

26 Sec. 8251.252. ELECTION FOR DIVISION OF DISTRICT. (a)  
27 After the board has complied with Section 8251.251(e), the board

1 shall hold an election in the district to determine whether the  
2 district should be divided as proposed.

3 (b) The board shall give notice of the election not later  
4 than the 35th day before the date of the election. The notice must  
5 state:

6 (1) the date and location of the election; and

7 (2) the proposition to be voted on.

8 (c) If a majority of the votes cast are in favor of the  
9 division:

10 (1) the district is divided; and

11 (2) not later than the 30th day after the date of the  
12 election, the district shall provide written notice of the division  
13 to:

14 (A) the Texas Commission on Environmental  
15 Quality;

16 (B) the attorney general;

17 (C) the commissioners court of each county in  
18 which a new district is located; and

19 (D) any municipality having extraterritorial  
20 jurisdiction over territory in each new district.

21 (d) If a majority of the votes cast are not in favor of the  
22 division, the district may not be divided.

23 Sec. 8251.253. ELECTION OF DIRECTORS OF NEW DISTRICTS. (a)  
24 Not later than the 90th day after the date of an election in favor of  
25 the division of the district, the board shall:

26 (1) appoint itself as the board of one of the new  
27 districts; and



1           (2) appoint five directors for each of the other new  
2 districts.

3           (b) Directors appointed under Subsection (a)(1) serve the  
4 staggered terms to which they were elected in the original  
5 district. Directors appointed under Subsection (a)(2) serve until  
6 the election for directors under Subsection (c).

7           (c) On the uniform election date in May of the first  
8 even-numbered year after the year in which the directors are  
9 appointed, the appointed board shall hold an election to elect five  
10 directors in each district for which directors were appointed under  
11 Subsection (a)(2). The directors shall draw lots to determine  
12 which two shall serve until the next regularly scheduled election  
13 of directors and which three shall serve until the second regularly  
14 scheduled election of directors.

15           Sec. 8251.254. CONTINUING POWERS AND OBLIGATIONS OF NEW  
16 DISTRICTS. (a) Each new district may incur and pay debts and has  
17 all powers of the original district created by this chapter.

18           (b) If the district is divided as provided by this  
19 subchapter, the current obligations and any bond authorizations of  
20 the district are not impaired. Debts shall be paid by revenue or by  
21 taxes or assessments imposed on real property in the district as if  
22 the district had not been divided or by contributions from each new  
23 district as stated in the terms set by the board under Section  
24 8251.251(e).

25           (c) Any other district obligation is divided pro rata among  
26 the new districts on an acreage basis or on other terms that are  
27 satisfactory to the new districts.

1           Sec. 8251.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The  
2 new districts may contract with each other for:

3           (1) water and wastewater services; or

4           (2) any other matter the boards of the new districts  
5 consider appropriate.

6           SECTION 2. The King's Crossing Municipal Utility District  
7 of Grayson County initially includes all the territory contained in  
8 the following described area:

9 TRACT 1

10 BEING a tract of land situated in the J. ARMENDARIS SURVEY, ABSTRACT  
11 NO. 39, the J. MARSHALL SURVEY, ABSTRACT NO. 868, the C. MASON  
12 SURVEY, ABSTRACT NO. 859 and the E. REYNOLDS SURVEY, ABSTRACT NO.  
13 1008, in Grayson County, Texas, and being all of a called 146 acre  
14 tract of land described in a deed to W. C. King recorded in Volume  
15 464, Page 531 of the Deed Records of Grayson County, Texas, part of  
16 a called 273.2255 acre tract described in a deed to W. C. King  
17 recorded in Volume 418, Page 320 of said Deed Records, (both of said  
18 King tracts being subsequently conveyed in part to Joe C. King,  
19 Nancy Jane Yarborough and the Mary Ann Arterbury Revocable Trust by  
20 deeds recorded in Volume 2182, Page 950, Volume 2192, Page 234,  
21 Volume 2249, Page 895, and Volume 3259, Page 266, all of said Deed  
22 Records), all of a called 60.2 acre tract of land described as Tract  
23 One in a deed to Nancy McElreath King recorded in Volume 953, Page  
24 307 of said Deed Records, all of a called 12.5 acre tract of land  
25 described as Tract Two in said deed, and all of a called 40 acre  
26 tract of land described as Tract Three in said deed, and being more  
27 particularly described as follows:

1 BEGINNING at a railroad spike found at the intersection of the  
2 center of Farmington Road (undedicated public road) with the center  
3 of Hall Cemetery Road (undedicated public road), said point being  
4 the southwest corner of said 60.2 acre tract;  
5 THENCE North 00 degrees 57 minutes 32 seconds West, along the  
6 approximate center of Farmington Road, and along the west lines of  
7 said 60.2 acre tract and said 146 acre tract, a distance of 2577.20  
8 feet to a 1-inch iron pipe found for the most westerly northwest  
9 corner of said 146 acre tract and the south corner of a called 34  
10 acre tract of land described in a deed to the Burks Family Trusts  
11 recorded in Volume 3128, Page 820 of said Deed Records;  
12 THENCE North 34 degrees 38 minutes 57 seconds East, along the common  
13 line between said 34 acre tract and said 146 acre tract, a distance  
14 of 2574.44 feet to a 1-inch iron pipe found at an angle point in the  
15 approximate center of Davis Road (undedicated public road) for the  
16 east corner of said 34 acre tract and the most southerly southeast  
17 corner of a called 123.8843 acre tract of land described in a deed  
18 to C. J. Matthews and wife Dorothy Matthews recorded in Volume 1180,  
19 Page 590 of said Deed Records;  
20 THENCE North 33 degrees 34 minutes 50 seconds East, along the common  
21 line between said 146 acre tract and said 123.8843 acre tract, and  
22 along the approximate center of Davis Road, a distance of 989.01  
23 feet to a 1-inch iron pipe found at an angle point in said road for  
24 most northerly northwest corner of said 146 acre tract;  
25 THENCE South 89 degrees 56 minutes 45 seconds East, along the  
26 approximate center of Davis Road and the north lines of said 146  
27 acre tract and said 273.2255 acre tract, a distance of 3122.85 feet

1 to a 5/8-inch iron rod with cap marked "PETITT RPLS 4087" set for  
2 corner;  
3 THENCE South 00 degrees 55 minutes 04 seconds East, along the  
4 prolongation of and the west lines of a called 0.923 acre tract  
5 described in a deed to Joe C. King and wife Katie Mae King recorded  
6 in Volume 1518, Page 747 of said Deed Records, a called 3.086 acre  
7 tract of land described in a deed to Joe C. King and wife Katie Mae  
8 King recorded in Volume 1331, Page 150, a tract of land described in  
9 a deed to Joe C. King recorded in Volume 1293, Page 77 of said Deed  
10 Records, a distance of 3195.54 feet to a 5/8-inch iron rod with cap  
11 marked "PETITT RPLS 4087" set for a point of the north line of  
12 Western Hills, an addition to the City of Howe according to the plat  
13 thereof recorded in Volume 3, Page 76 of the Map Records of Grayson  
14 County, Texas.  
15 THENCE South 89 degrees 24 minutes 28 seconds West, along the north  
16 line of Western Hills, and addition to the City of Howe, a distance  
17 of 1.52 feet to the northwest corner of said Western Hills to a  
18 5/8-inch iron rod with cap marked "PETITT RPLS 4087" set for corner;  
19 THENCE South 00 degrees 48 minutes 45 seconds East, departing the  
20 northwest corner of said Western Hills, and along the most  
21 southerly east line of said 273.2255 acre tract, a distance of  
22 410.53 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS  
23 4087" set for the most southerly southeast corner of said 273.2255  
24 acre tract and the northeast corner of a called 111.5 acre tract  
25 described in a deed to Robert Glen Sollis, Jr., recorded in Volume  
26 2352, Page 222 of said Deed Records;  
27 THENCE North 89 degrees 21 minutes 25 seconds West, along the common

1 line between said 273.2255 acre tract and said 111.5 acre tract, a  
2 distance of 2591.12 feet to a 5/8-inch iron rod with cap marked  
3 "PETITT - RPLS 4087" set for the northwest corner of said 111.5 acre  
4 tract and the northeast corner of said 40 acre tract;  
5 THENCE South 00 degrees 48 minutes 45 seconds East, along the common  
6 line between said 111.5 acre tract and said 40 acre tract, a distance  
7 of 1904.72 feet to a 5/8-inch iron rod with cap marked "PETITT -  
8 RPLS 4087" set in the approximate center of Hall Cemetery Road for  
9 the southeast corner of said 40 acre tract;  
10 THENCE South 89 degrees 13 minutes 54 seconds West, along the  
11 approximate center of Hall Cemetery Road and the south lines of said  
12 40 acre tract, said 12.5 acre tract and said 60.2 acre tract, a  
13 distance of 2582.24 feet to the POINT OF BEGINNING and containing  
14 470.470 acres of land, more or less.

15 TRACT 2

16 BEING A TRACT OF LAND SITUATED IN THE J. ARMENDARIS SURVEY, ABSTRACT  
17 NO. 39, THE J. MARSHALL SURVEY, ABSTRACT NO. 825, AND THE E.  
18 REYNOLDS SURVEY, ABSTRACT NO. 1008, IN GRAYSON COUNTY, TEXAS, AND  
19 BEING A PORTION OF A CALLED 57.898 ACRE TRACT DESCRIBED IN A DEED TO  
20 JOE CLYDE KING RECORDED IN VOLUME 3693, PAGE 147 OF THE DEED RECORDS  
21 OF GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS  
22 FOLLOWS:

23 BEGINNING AT A NAIL FOUND IN THE APPROXIMATE CENTER OF DAVIS ROAD  
24 (UNDEDICATED PUBLIC ROAD) FOR THE NORTHEAST CORNER OF SAID 57.898  
25 ACRE TRACT AND THE NORTHWEST CORNER OF A CALLED 29.732 ACRE TRACT OF  
26 LAND DESCRIBED AS TRACT 1 IN A DEED TO JERRY L. KING AND DONNA KING  
27 BEDGOOD RECORDED IN VOLUME 2001, PAGE 107 OF SAID DEED RECORDS;

1 THENCE ALONG THE COMMON LINE BETWEEN SAID 29.732 ACRE TRACT AND SAID  
2 57.898 ACRE TRACT AS FOLLOWS:  
3 SOUTH 26 DEGREES 30 MINUTES 31 SECONDS EAST, A DISTANCE OF 274.02  
4 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET  
5 FOR CORNER;  
6 SOUTH 22 DEGREES 04 MINUTES 49 SECONDS EAST, A DISTANCE OF 371.90  
7 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET  
8 FOR CORNER;  
9 SOUTH 64 DEGREES 31 MINUTES 10 SECONDS EAST, A DISTANCE OF 174.55  
10 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET  
11 FOR THE MOST EASTERLY NORTHEAST CORNER OF SAID 57.898 ACRE TRACT AND  
12 THE NORTHWEST CORNER OF WESTERN HILLS COMMERCIAL, AN ADDITION TO  
13 THE CITY OF HOWE ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 3,  
14 PAGE 79 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS;  
15 THENCE SOUTH 00 DEGREES 54 MINUTES 15 SECONDS EAST, ALONG THE  
16 EASTERLY LINE OF SAID 57.898 ACRE TRACT AND THE WEST LINE OF SAID  
17 WESTERN HILLS COMMERCIAL, A DISTANCE OF 360.57 FEET TO A 5/8-INCH  
18 IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET FOR CORNER FROM  
19 WHICH A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID  
20 WESTERN HILLS COMMERCIAL BEARS SOUTH 00 DEGREES 54 MINUTES 15  
21 SECONDS EAST, A DISTANCE OF 305.41 FEET;  
22 THENCE SOUTH 89 DEGREES 31 MINUTES 09 SECONDS WEST, DEPARTING SAID  
23 EASTERLY AND WEST LINES AND OVER AND ACROSS SAID 57.898 ACRE TRACT,  
24 A DISTANCE OF 905.24 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED  
25 "PETITT - RPLS 4087" SET IN THE WEST LINE OF SAID 57.898 ACRE TRACT  
26 SAME BEING THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO AP  
27 HOWE LIMITED PARTNERSHIP FILED IN VOLUME 3814, PAGE 898, OF SAID

1 DEED RECORDS;  
2 THENCE NORTH 00 DEGREES 55 MINUTES 04 SECONDS WEST, ALONG SAID EAST  
3 AND WEST LINES, A DISTANCE OF 1030.55 FEET TO A NAIL FOUND IN THE  
4 APPROXIMATE CENTER OF SAID DAVIS ROAD FOR THE NORTHWEST CORNER OF  
5 SAID 57.898 ACRE TRACT AND THE NORTHEAST CORNER OF SAID AP HOWE  
6 LIMITED PARTNERSHIP TRACT;  
7 THENCE SOUTH 89 DEGREES 56 MINUTES 50 SECONDS EAST, ALONG THE NORTH  
8 LINE OF SAID 57.898 ACRE TRACT AND THE APPROXIMATE CENTER OF SAID  
9 DAVIS ROAD, A DISTANCE OF 160.56 FEET TO A RAILROAD SPIKE FOUND FOR  
10 AN ANGLE POINT;  
11 THENCE NORTH 89 DEGREES 31 MINUTES 33 SECONDS EAST, CONTINUING  
12 ALONG SAID NORTH LINE AND THE APPROXIMATE CENTER OF SAID DAVIS ROAD,  
13 A DISTANCE OF 335.80 FEET TO THE POINT OF BEGINNING AND CONTAINING  
14 762,300 SQUARE FEET, OR 17.500 ACRES OF LAND, MORE OR LESS.

15 SECTION 3. (a) The legal notice of the intention to  
16 introduce this Act, setting forth the general substance of this  
17 Act, has been published as provided by law, and the notice and a  
18 copy of this Act have been furnished to all persons, agencies,  
19 officials, or entities to which they are required to be furnished  
20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
21 Government Code.

22 (b) The governor, one of the required recipients, has  
23 submitted the notice and Act to the Texas Commission on  
24 Environmental Quality.

25 (c) The Texas Commission on Environmental Quality has filed  
26 its recommendations relating to this Act with the governor, the  
27 lieutenant governor, and the speaker of the house of

1 representatives within the required time.

2 (d) All requirements of the constitution and laws of this  
3 state and the rules and procedures of the legislature with respect  
4 to the notice, introduction, and passage of this Act are fulfilled  
5 and accomplished.

6 SECTION 4. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2007.