

1-1 By: Wentworth S.B. No. 1982
1-2 (In the Senate - Filed March 30, 2007; April 3, 2007, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 24, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 April 24, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1982 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the York Valley Municipal Utility
1-11 District; providing authority to impose taxes and issue bonds;
1-12 granting the power of eminent domain.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-15 Code, is amended by adding Chapter 8247 to read as follows:

1-16 CHAPTER 8247. YORK VALLEY MUNICIPAL UTILITY DISTRICT

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 8247.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the board of directors of the
1-20 district.

1-21 (2) "Director" means a member of the board.

1-22 (3) "District" means the York Valley Municipal Utility
1-23 District.

1-24 Sec. 8247.002. NATURE OF DISTRICT. The district is a
1-25 municipal utility district in Guadalupe County created under and
1-26 essential to accomplish the purposes of Section 59, Article XVI,
1-27 Texas Constitution.

1-28 Sec. 8247.003. CONFIRMATION ELECTION REQUIRED. The board
1-29 shall hold an election to confirm the creation of the district as
1-30 provided by Section 49.102, Water Code.

1-31 Sec. 8247.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.
1-32 (a) All land and other property included in the district will
1-33 benefit from the improvements and services to be provided by the
1-34 district.

1-35 (b) The district is created to accomplish:

1-36 (1) the purposes of a municipal utility district as
1-37 provided by general law; and

1-38 (2) to the extent authorized by Section 52, Article
1-39 III, Texas Constitution, the construction, acquisition,
1-40 improvement, maintenance, or operation of macadamized, graveled,
1-41 or paved roads, or improvements in aid of those roads.

1-42 Sec. 8247.005. INITIAL DISTRICT TERRITORY. (a) The
1-43 district is initially composed of the territory described by
1-44 Section 2 of the Act creating this chapter.

1-45 (b) The boundaries and field notes contained in Section 2 of
1-46 the Act creating this chapter form a closure. A mistake made in the
1-47 field notes or in copying the field notes in the legislative process
1-48 does not affect the district's:

1-49 (1) organization, existence, or validity;

1-50 (2) right to issue any type of bond for the purposes
1-51 for which the district is created or to pay the principal of and
1-52 interest on a bond;

1-53 (3) right to impose or collect an assessment or tax; or

1-54 (4) legality or operation.

1-55 [Sections 8247.006-8247.050 reserved for expansion]

1-56 SUBCHAPTER B. BOARD OF DIRECTORS

1-57 Sec. 8247.051. DIRECTORS; TERMS. (a) The district is
1-58 governed by a board of five directors.

1-59 (b) Except as provided by Section 8247.052, directors serve
1-60 staggered four-year terms.

1-61 Sec. 8247.052. INITIAL DIRECTORS. (a) The initial board
1-62 consists of:

1-63 (1) Greg Hammonds;

- 2-1 (2) Carole Baker;
- 2-2 (3) Jimmy Kull;
- 2-3 (4) Marcy Steward; and
- 2-4 (5) William Meyer.

2-5 (b) Unless the initial board otherwise agrees, the initial
 2-6 directors shall draw lots to determine which two directors shall
 2-7 serve until the first regularly scheduled election of directors and
 2-8 which three directors shall serve until the second regularly
 2-9 scheduled election of directors.

2-10 (c) This section expires September 1, 2014.

2-11 [Sections 8247.053-8247.100 reserved for expansion]

2-12 SUBCHAPTER C. POWERS AND DUTIES

2-13 Sec. 8247.101. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-14 DUTIES. (a) The district has the powers and duties provided by the
 2-15 general law of this state, including Chapters 49 and 54, Water Code,
 2-16 applicable to municipal utility districts created under Section 59,
 2-17 Article XVI, Texas Constitution.

2-18 (b) The district has the powers and duties necessary to
 2-19 accomplish the purposes for which the district is created.

2-20 Sec. 8247.102. ROAD PROJECTS. (a) To the extent
 2-21 authorized by Section 52, Article III, Texas Constitution, the
 2-22 district may construct, acquire, improve, maintain, or operate
 2-23 macadamized, graveled, or paved roads, or improvements in aid of
 2-24 those roads.

2-25 (b) A road project must meet all applicable standards,
 2-26 regulations, and ordinances of the municipality or county in whose
 2-27 jurisdiction the district is located.

2-28 Sec. 8247.103. DIVISION OF DISTRICT. (a) The district may
 2-29 be divided into two or more new districts only if the district:

- 2-30 (1) has no outstanding bonded debt; and
- 2-31 (2) is not imposing ad valorem taxes.

2-32 (b) Any new district created by the division of the district
 2-33 has all the powers and duties of the district.

2-34 (c) Any new district created by the division of the district
 2-35 may not, at the time the new district is created, contain any land
 2-36 outside the area described by Section 2 of the Act creating this
 2-37 chapter.

2-38 (d) The board, on its own motion or on receipt of a petition
 2-39 signed by the owners of a majority of the assessed value of real
 2-40 property in the district according to the most recent certified
 2-41 appraisal roll for the county in which the district is located, may
 2-42 adopt an order dividing the district.

2-43 (e) An order dividing the district shall:

- 2-44 (1) name each new district;
- 2-45 (2) include the metes and bounds of each new district;
- 2-46 (3) appoint temporary directors for each new district;

2-47 and

2-48 (4) provide for the division of assets and liabilities
 2-49 between each new district.

2-50 (f) On or before the 30th day after the adoption of an order
 2-51 dividing the district, the district shall file the order dividing
 2-52 the district with the Texas Commission on Environmental Quality and
 2-53 record the order in the real property records of the county in which
 2-54 the district is located.

2-55 (g) Any new district created by the division of the district
 2-56 shall hold a confirmation and directors' election as required by
 2-57 Section 49.102, Water Code.

2-58 (h) Any new district created by the division of the district
 2-59 must hold an election in the manner provided by Chapters 49 and 54,
 2-60 Water Code, to obtain voter approval before the district may impose
 2-61 a maintenance tax or issue bonds payable wholly or partly from ad
 2-62 valorem taxes.

2-63 Sec. 8247.104. FIREFIGHTING AND EMERGENCY MEDICAL
 2-64 SERVICES. (a) The district may establish, operate, and maintain,
 2-65 or contract with another political subdivision for the joint
 2-66 operation of, a fire department to perform all firefighting and
 2-67 emergency medical services in the district in accordance with
 2-68 Subchapter L, Chapter 49, Water Code.

2-69 (b) The district may issue bonds or impose a mandatory fee,

3-1 with voter approval, for financing a fire plan approved in
3-2 accordance with Section 49.351, Water Code, including the
3-3 construction and purchase of necessary buildings, facilities,
3-4 land, and equipment and the provision of an adequate water supply.

3-5 [Sections 8247.105-8247.150 reserved for expansion]

3-6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-7 Sec. 8247.151. ELECTIONS REGARDING TAXES OR BONDS.

3-8 (a) The district may issue, without an election, bonds and other
3-9 obligations secured by revenue or contract payments from any source
3-10 other than ad valorem taxation.

3-11 (b) The district must hold an election in the manner
3-12 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-13 before the district may impose an operation and maintenance tax or
3-14 issue bonds payable from ad valorem taxes.

3-15 Sec. 8247.152. OPERATION AND MAINTENANCE TAX. (a) If
3-16 authorized at an election held under Section 8247.151, the district
3-17 may impose an operation and maintenance tax on taxable property in
3-18 the district in accordance with Section 49.107, Water Code.

3-19 (b) The board shall determine the tax rate. The rate may not
3-20 exceed the rate approved at the election.

3-21 [Sections 8247.153-8247.200 reserved for expansion]

3-22 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-23 Sec. 8247.201. AUTHORITY TO ISSUE BONDS AND OTHER
3-24 OBLIGATIONS. (a) The district may issue bonds or other

3-25 obligations payable wholly or partly from ad valorem taxes, impact
3-26 fees, revenue, grants, or other district money, or any combination
3-27 of those sources, to pay for any authorized district purpose.

3-28 (b) The district may not issue bonds to finance projects
3-29 authorized by Section 8247.102 unless the issuance is approved by a
3-30 vote of a two-thirds majority of the voters of the district voting
3-31 at an election called for that purpose.

3-32 (c) Bonds or other obligations issued or incurred to finance
3-33 projects authorized by Section 8247.102 may not exceed one-fourth
3-34 of the assessed value of the real property in the district.

3-35 Sec. 8247.202. TAXES FOR BONDS. At the time bonds payable
3-36 wholly or partly from ad valorem taxes are issued:

3-37 (1) the board shall impose a continuing direct annual
3-38 ad valorem tax, without limit as to rate or amount, for each year
3-39 that all or part of the bonds are outstanding; and

3-40 (2) the district annually shall impose an ad valorem
3-41 tax on all taxable property in the district in an amount sufficient
3-42 to:

3-43 (A) pay the interest on the bonds as the interest
3-44 becomes due;

3-45 (B) create a sinking fund for the payment of the
3-46 principal of the bonds when due or the redemption price at any
3-47 earlier required redemption date; and

3-48 (C) pay the expenses of imposing the taxes.

3-49 SECTION 2. The York Valley Municipal Utility District
3-50 initially includes all the territory contained in the following
3-51 area:

3-52 PART 1:

3-53 Being a 1,495.541 acre tract of land situated in the Solomon Barnes
3-54 Survey, Abstract No. 56, the William Burnett Survey, Abstract No.
3-55 73, the Wakefield & Stewart Survey, Abstract No. 326, and the
3-56 Gustavos Chotwell Survey, Abstract No. 85, Guadalupe County, Texas,
3-57 and being all of a tract called Tract Two, called 1,241.414 acres
3-58 described in Volume 2273, Pages 447-460, all of a 160.372 acre tract
3-59 described in Volume 1673, Page 158 and all of a tract called 94.118
3-60 acres described in Volume 1801, Page 589, all of the Official Public
3-61 Records of Guadalupe County, Texas, and all bearings referred to in
3-62 this description are referenced to Geodetic or True North based on
3-63 GPS Observations, said 1,495.541 acre tract of land surveyed under
3-64 the supervision of Richard A. Goodwin, RPLS #4069, S. Craig
3-65 Hollmig, Inc., and being more particularly described as follows:

3-66 BEGINNING: At a 3/4" iron pipe found in the approximate Southeast
3-67 line of the Solomon Barnes Survey, the approximate Northwest line
3-68 of the William Burnett Survey, for the North corner of a 36.256 acre
3-69 tract recorded in Volume 1156, Pages 289-291 of the Official Public

4-1 Records of Guadalupe County, Texas, for a re-entrant corner of the
 4-2 above referenced 1,241.414 acre tract, for a corner of this tract;
 4-3 THENCE: Generally with fence, the Northwest line of said 36.256
 4-4 acre tract, the Southeast line of the above referenced 1,241.414
 4-5 acre tract, S 48° 42' 51" W at 1452.17 feet a 1/2" iron pin found in
 4-6 the Northeast line of County Road #241 (Wade Road), and continuing a
 4-7 total distance of 1474.61 feet to a 1/2" iron pin found for a South
 4-8 corner of the above referenced 1241.414 acre tract, for a corner of
 4-9 this tract;
 4-10 THENCE: With the centerline of County Road #241 (Wade Road), a
 4-11 Southwest line of the above referenced 1241.414 acre tract, N 42°
 4-12 32' 02" W 10.14 feet to a 1/2" iron pin found for an interior corner
 4-13 of the above referenced 1241.414 acre tract, for an interior corner
 4-14 of this tract;
 4-15 THENCE: Continuing with the centerline of County Road #241 (Wade
 4-16 Road), S 48° 15' 01" W 725.50 feet to a 1/2" iron pin found at the
 4-17 intersection of the centerline of County Road #241 (Wade Road),
 4-18 with the centerline of County Road #241-A (York Creek Crossing),
 4-19 for a South corner of the above referenced 1241.414 acre tract, for
 4-20 the South corner of this tract;
 4-21 THENCE: With the centerline of County Road #241-A (York Creek
 4-22 Crossing), a Southwest line of the above referenced 1241.414 acre
 4-23 tract, N 41° 27' 31" W 1036.00 feet to a 1/2" iron pin found for a
 4-24 West corner of the above referenced 1241.414 acre tract, for a West
 4-25 corner of this tract;
 4-26 THENCE: With a Northwest line of the above referenced 1241.414 acre
 4-27 tract, N 49° 26' 38" E 22.56 feet to a 4" pipe post situated on the
 4-28 North line of said County Road #241-A (York Creek Crossing), for
 4-29 South corner of the above referenced 94.118 acre tract, for a corner
 4-30 of this tract;
 4-31 THENCE: With the North line of County Road #241-A (York Creek
 4-32 Crossing), the Southwest line of the above referenced 94.118 acre
 4-33 tract, N 41° 07' 48" W 2175.16 feet to a 10" corner post in same, for
 4-34 the West corner of the above referenced 94.118 acre tract, the South
 4-35 corner of the above referenced 160.372 acre tract, for a corner of
 4-36 this tract;
 4-37 THENCE: Continuing with the North line of County Road #241-A (York
 4-38 Creek Crossing), the South line of the above referenced 160.372
 4-39 acre tract, N 41° 30' 48" W 137.47 feet to a 1 1/2" pipe post, N 41°
 4-40 03' 33" W 1036.19 feet to a 2" pipe post, N 40° 49' 39" W 260.40 feet
 4-41 to a 3" pipe post and N 41° 32' 52" W 58.16 feet to a 3" pipe post, and
 4-42 N 40° 36' 14" W 706.44 feet to a 1/2" iron pin found in same, for the
 4-43 South corner of a 100.00 acre tract recorded in Volume 1650, Page
 4-44 762 of the Official Public Records of Guadalupe County, Texas, for a
 4-45 West corner of the above referenced 160.372 acre tract, for a West
 4-46 corner of this tract;
 4-47 THENCE: Leaving County Road #241-A (York Creek Crossing), N 49° 23'
 4-48 38" E 3270.85 feet to a 1/2" iron pin found for the East corner of
 4-49 said 100.00 acre tract, the North corner of the above referenced
 4-50 160.372 acre tract, situated on the Southwest line of the above
 4-51 referenced 1241.414 acre tract, for an interior corner of this
 4-52 tract;
 4-53 THENCE: With said Southwest line, N 41° 28' 20" W 1007.42 feet to a
 4-54 3" pipe post for an interior corner of that certain 206.749 acre
 4-55 tract, Exhibit "H", recorded in Volume 1245, Pages 217-243 of the
 4-56 Official Public Records of Guadalupe County, Texas, for the West
 4-57 corner of the above referenced 1241.414 acre tract, for a West
 4-58 corner of this tract;
 4-59 THENCE: With fence, the Northwest line of the above referenced
 4-60 1241.414 acre tract, as follows:
 4-61 N 48° 38' 58" E 888.68 feet, a 1/2" iron pin found
 4-62 N 48° 27' 59" E 1295.63 feet, a 1/2" iron pin found
 4-63 N 48° 25' 29" E 1476.85 feet, a 1/2" iron pin found
 4-64 N 48° 19' 29" E 1445.81 feet, a 1/2" iron pin found
 4-65 N 48° 14' 16" E 1389.77 feet, a 3" pipe post in the Southwest
 4-66 line of County Road #242 (Bylerpool Road), for the North corner of
 4-67 the above referenced 1241.414 acre tract, for the North corner of
 4-68 this tract;
 4-69 THENCE: With the Southwest line of County Road #242 (Bylerpool

5-1 Road), a Northeast line of the above referenced 1241.414 acre
5-2 tract, S 41° 16' 03" E 18.26 feet to a 1/2" iron pin found for an
5-3 interior corner of the above referenced 1241.414 acre tract, for an
5-4 interior corner of this tract;
5-5 THENCE: Into said County Road #242 (Bylerpool Road), with a
5-6 Northwest line of the above referenced 1241.414 acre tract, N 49°
5-7 25' 04" E 22.50 feet to a 1/2" iron pin found in the centerline of
5-8 County Road #242 (Bylerpool Road), for the West corner of a 582.060
5-9 acre tract, called Tract One, described in Volume 2273, Page 447 of
5-10 the Official Public Records of Guadalupe County, Texas, for a North
5-11 corner of this tract;
5-12 THENCE: With the centerline of County Road #242 (Bylerpool Road),
5-13 the Southwest line of said 582.060 acre tract, S 40° 46' 35" E
5-14 6174.46 feet to a P.K. nail found in same, for an East corner of the
5-15 above referenced 1241.414 acre tract, for an East corner of this
5-16 tract;
5-17 THENCE: With the common line between the above referenced 1241.414
5-18 acre tract and an 89.24 acre tract recorded in Volume 1125, Pages
5-19 269-272 of the Official Public Records of Guadalupe County, Texas,
5-20 S 47° 39' 53" W at 22.74 feet a 1/2" iron pin found and continuing a
5-21 total distance of 883.08 feet to a 1/2" iron pin found and
5-22 continuing with said common line, S 40° 44' 14" E 1010.58 feet to a
5-23 1/2" iron pin found, S 48° 45' 15" W 4335.00 feet to a 1/2" iron pin
5-24 found, and S 42° 05' 24" E at 318.26 feet, a 1/2" iron pin found at a
5-25 corner post at the North corner of County Road #241 (Wade Road), and
5-26 continuing a total distance of 335.72 feet to a 1/2" iron pin found
5-27 for an East corner of the above referenced 1241.414 acre tract, for
5-28 an East corner of this tract;
5-29 THENCE: With the centerline of County Road #241 (Wade Road), a
5-30 Southeast line of the above referenced 1241.414 acre tract, S 49°
5-31 13' 22" W 2346.24 feet to a 1/2" iron pin found in same, for a South
5-32 corner of the above referenced 1241.414 acre tract, for a South
5-33 corner of this tract;
5-34 THENCE: With a Southwest line of the above referenced 1241.414 acre
5-35 tract, the Northeast line of the above referenced 36.256 acre
5-36 tract, N 41° 21' 18" W at 17.20 feet a 1/2" iron pin found in the
5-37 Northwest line of County Road #241 (Wade Road), and continuing a
5-38 total distance of 1113.55 feet to the Point of Beginning and
5-39 containing 1,495.541 acres of land, more or less.
5-40 PART 2:
5-41 Being a 581.850 acre tract of land, being approximately 144.81
5-42 acres out of the Gustavos Chotwell Survey, Abstract No. 85 and
5-43 approximately 437.04 acres out of the George Allen Survey, Abstract
5-44 No. 1, Guadalupe County, Texas, said 581.850 acre tract being the
5-45 same tract, called Tract One, called 582.060 acres, as described in
5-46 Volume 2273, Pages 447-460 of the Official Public Records of
5-47 Guadalupe County, Texas, and all bearings referred to are based
5-48 upon Geodetic or True North from GPS observations, said 581.850
5-49 acre tract of land surveyed under the supervision of Richard A.
5-50 Goodwin, RPLS #4069, S. Craig Hollmig, Inc., and being more
5-51 particularly described as follows:
5-52 BEGINNING: At a 5/8" iron bar found in the center of a creek, in the
5-53 South line of a 250 acre tract described in Volume 1272, Pages
5-54 171-173 of the Official Public Records of Guadalupe County, Texas,
5-55 for the East corner of a 253.25 acre tract described in Volume 895,
5-56 Pages 546-548 of the Official Public Records of Guadalupe County,
5-57 Texas, for the North corner of the above referenced 582.060 acre
5-58 tract, for the North corner of this tract;
5-59 THENCE: With an unfenced line, the South line of said 250 acre
5-60 tract, the North line of the above referenced 582.060 acre tract, S
5-61 86° 25' 20" E 721.72 feet to a 3/4" iron pipe found in the Northwest
5-62 line of a 250 acre tract described in Volume 1275, Pages 995-999 of
5-63 the Official Public Records of Guadalupe County, Texas, for a
5-64 Southeast corner of said 250 acre tract (1272/171-173), for a
5-65 Northeast corner of the above referenced 582.060 acre tract, for a
5-66 Northeast corner of this tract;
5-67 THENCE: With a West line of said 250 acre tract (1275/995-999), the
5-68 East line of the above referenced 582.060 acre tract, S 10° 05' 03" E
5-69 30.78 feet to a 1/2" iron pin found and continuing with the

6-1 Southeast line of the above referenced 582.060 acre tract, S 75° 34'
6-2 44" W 545.80 feet to a 1/2" iron pin found and S 49° 07' 04" W 1884.77
6-3 feet to a 1/2" iron pin found at a fence corner post, for the West
6-4 corner of said 250 acre tract (1275/995-999), a re-entry corner of
6-5 the above referenced 582.060 acre tract, for a corner of this tract;
6-6 THENCE: Generally with fence, the Southwest line of said 250 acre
6-7 tract (1275/995-999), the Northeast line of the above referenced
6-8 582.060 acre tract, S 40° 48' 01" E 4203.59 feet to a 1/2" iron pin
6-9 found in the Northwest line of a 208 acre tract described in Volume
6-10 242, Pages 569-570 of the Deed Records of Guadalupe County, Texas,
6-11 for an East corner of the above referenced 582.060 acre tract, for
6-12 an East corner of this tract;
6-13 THENCE: Generally with fence, the Northwest and Southwest lines of
6-14 said 208 acre tract, S 48° 35' 34" W 1167.35 feet to a 3" pipe post
6-15 and S 41° 20' 40" E 1069.00 feet to a 1/2" iron pin found for the
6-16 North corner of a 116 acre tract recorded in Volume 525, Pages
6-17 150-152 of the Deed Records of Guadalupe County, Texas, for an East
6-18 corner of the above referenced 582.060 acre tract, for an East
6-19 corner of this tract;
6-20 THENCE: Generally with fence, the Northwest line of said 116 acre
6-21 tract, S 48° 41' 07" W 3430.99 feet to a P.K. nail found in the
6-22 centerline of Bylerpool Road (County Road #242), for the South
6-23 corner of the above referenced 582.060 acre tract, for the South
6-24 corner of this tract;
6-25 THENCE: With the centerline of Bylerpool Road (County Road #242),
6-26 the Southwest line of the above referenced 582.060 acre tract, N 40°
6-27 46' 35" W at 203.75 feet a P.K. nail found in same, for the East
6-28 corner of that certain 1,241.414 acre tract, called Tract Two,
6-29 described in Volume 2273, Page 447 of the Official Public Records of
6-30 Guadalupe County, Texas, and continuing a total distance of 6378.22
6-31 feet to a 1/2" iron pin found for the North corner of said 1,241.414
6-32 acre tract, the West corner of the above referenced 582.060 acre
6-33 tract, for the West corner of this tract;
6-34 THENCE: With the centerline of Bylerpool Road (County Road #242), a
6-35 Northwest line of the above referenced 582.060 acre tract, N 49° 25'
6-36 04" E 476.65 feet to a 1/2" iron pin found for a North corner of the
6-37 above referenced 582.060 acre tract, for the North corner of this
6-38 tract;
6-39 THENCE: With a Northeast line of the above referenced 582.060 acre
6-40 tract, S 41° 22' 01" E 773.33 feet to a 3" pipe post for the South
6-41 corner of a 253.25 acre tract described in Volume 895, Pages 546-548
6-42 of the Official Public Records of Guadalupe County, Texas, for a
6-43 corner of this tract;
6-44 THENCE: With the Southeast line of said 253.25 acre tract, the
6-45 Northwest line of the above referenced 582.060 acre tract,
6-46 generally with fence, N 49° 14' 57" E 4101.85 feet to a 1/2" iron pin
6-47 found and N 48° 58' 09" E 1872.83 feet to the Point of Beginning and
6-48 containing 581.850 acres of land, more or less.

6-49 SECTION 3. (a) The legal notice of the intention to
6-50 introduce this Act, setting forth the general substance of this
6-51 Act, has been published as provided by law, and the notice and a
6-52 copy of this Act have been furnished to all persons, agencies,
6-53 officials, or entities to which they are required to be furnished
6-54 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
6-55 Government Code.

6-56 (b) The governor, one of the required recipients, has
6-57 submitted the notice and Act to the Texas Commission on
6-58 Environmental Quality.

6-59 (c) The Texas Commission on Environmental Quality has filed
6-60 its recommendations relating to this Act with the governor, the
6-61 lieutenant governor, and the speaker of the house of
6-62 representatives within the required time.

6-63 (d) All requirements of the constitution and laws of this
6-64 state and the rules and procedures of the legislature with respect
6-65 to the notice, introduction, and passage of this Act are fulfilled
6-66 and accomplished.

6-67 SECTION 4. This Act takes effect immediately if it receives
6-68 a vote of two-thirds of all the members elected to each house, as
6-69 provided by Section 39, Article III, Texas Constitution. If this

7-1 Act does not receive the vote necessary for immediate effect, this
7-2 Act takes effect September 1, 2007.

7-3

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