

By: Nichols

S.B. No. 1993

A BILL TO BE ENTITLED

AN ACT

relating to the validation of acts and proceedings of the Lake View Management and Development District and the division of the district into two or more new districts.

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

SECTION 1. Subchapter C, Chapter 3828, Special District Local Laws Code, is amended by adding Section 3828.112 to read as follows:

Sec. 3828.112. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

(b) The division procedure is prescribed by Sections 53.030-53.041, Water Code.

(c) Any new district created by the division of the district may not, at the time the new district is created, contain any land:

(1) outside Henderson County; or

(2) in the corporate limits or extraterritorial jurisdiction of a municipality, unless the municipality consents.

(d) Any new district created by the division of the district has all the powers and duties of the district.

SECTION 2. (a) All governmental and proprietary actions of the Lake View Management and Development District taken before the effective date of this Act are validated, ratified, and confirmed

1 in all respects as if the actions had been taken as authorized by
2 law.

3 (b) This section does not apply to any matter that on the
4 effective date of this Act:

5 (1) is involved in litigation if the litigation
6 ultimately results in the matter being held invalid by a final court
7 judgment; or

8 (2) has been held invalid by a final court judgment.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2007.

COMMITTEE AMENDMENT NO. 1

Amend the Senate Engrossed Version of SENATE BILL No. 1993 as follows:

1. On Page 1, Line 10, strike "or more".
2. On Page 1, Line 14, strike "53.030-53.041, Water Code." and substitute in lieu thereof:
"53.030 through 53.041, Water Code."
3. On Page 1, strike Lines 23 and 24 in their entirety and substitute in lieu thereof:
"the Lake View Management and Development District taken before April 1, 2007, are validated, ratified, and confirmed".

Latham