

SENATE AMENDMENTS

2nd Printing

By: Miles

H.B. No. 4134

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris County Improvement District No. 10; providing authority to impose a tax and issue bonds.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3860 to read as follows:

CHAPTER 3860. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 10

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3860.001. DEFINITIONS. In this chapter:

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

(2) "District" means the Harris County Improvement District No. 10.

Sec. 3860.002. NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3860.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing Harris County, the City of Houston, the Metropolitan Transit Authority of Harris County, and other political subdivisions to contract with the district, the legislature has established a program to

1 accomplish the public purposes set out in Section 52-a, Article
2 III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,
4 develop, encourage, and maintain employment, commerce,
5 transportation, parking, housing, recreation, the arts, safety,
6 and the public welfare in the area of the district.

7 (c) This chapter and the creation of the district may not be
8 interpreted to relieve Harris County or the City of Houston from
9 providing the level of services provided as of September 1, 2007, to
10 the area in the district. The district is created to supplement and
11 not to supplant the county or city services provided in the area in
12 the district.

13 Sec. 3860.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
14 The district is created to serve a public use and benefit.

15 (b) All land and other property included in the district
16 will benefit from the improvements and services to be provided by
17 the district under powers conferred by Sections 52 and 52-a,
18 Article III, and Section 59, Article XVI, Texas Constitution, and
19 other powers granted under this chapter.

20 (c) Each improvement project or service authorized by this
21 chapter is essential to carry out a public purpose.

22 (d) The creation of the district is in the public interest
23 and is essential to:

24 (1) further the public purposes of developing and
25 diversifying the economy of the state;

26 (2) eliminate unemployment and underemployment; and

27 (3) develop or expand transportation and commerce.

1 (e) The district will:

2 (1) promote the health, safety, and general welfare of
3 residents, employers, employees, visitors, and consumers in the
4 district, and of the public;

5 (2) provide needed funding for the district to
6 preserve, maintain, and enhance the economic health and vitality of
7 the area as a residential neighborhood and a commercially viable
8 area;

9 (3) promote the health, safety, welfare, and enjoyment
10 of the public by providing pedestrian ways and by landscaping and
11 developing certain areas in the district, which are necessary for
12 the restoration, preservation, and enhancement of scenic beauty;

13 (4) promote and benefit commercial development and
14 commercial areas in the district; and

15 (5) promote and develop public transportation and
16 pedestrian facilities and systems using new and alternative means
17 that are attractive, safe, and convenient, including securing
18 expanded and improved transportation and pedestrian facilities and
19 systems, to:

20 (A) address the problem of traffic congestion in
21 the district, the need to control traffic and improve pedestrian
22 safety, and the limited availability of money; and

23 (B) benefit the land and other property in the
24 district and the residents, employers, employees, visitors, and
25 consumers in the district and the public.

26 (f) Pedestrian ways along or across a street, whether at
27 grade or above or below the surface, and street lighting, street

1 landscaping, and street art objects are parts of and necessary
2 components of a street and are considered to be a street or road
3 improvement.

4 (g) The district will not act as the agent or
5 instrumentality of any private interest even though the district
6 will benefit many private interests as well as the public.

7 Sec. 3860.005. DISTRICT TERRITORY. (a) The district is
8 composed of the territory described by Section 2 of the Act enacting
9 this chapter, as that territory may have been modified under:

10 (1) Subchapter J, Chapter 49, Water Code;

11 (2) Section 3860.111; or

12 (3) other law.

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

17 (1) the district's organization, existence, and
18 validity;

19 (2) the district's right to issue any type of bond,
20 including a refunding bond, for a purpose for which the district is
21 created or to pay the principal of and interest on the bond;

22 (3) the district's right to impose and collect an
23 assessment or tax; or

24 (4) the legality or operation of the district or the
25 board.

26 (c) A description of the district's boundaries shall be
27 filed with the Texas Commission on Environmental Quality. The

1 commission by order may correct a mistake in the description of the
2 district's boundaries.

3 Sec. 3860.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
4 DISTRICTS LAW. Except as otherwise provided by this chapter,
5 Chapter 375, Local Government Code, applies to the district.

6 Sec. 3860.007. LIBERAL CONSTRUCTION OF CHAPTER. This
7 chapter shall be liberally construed in conformity with the
8 findings and purposes stated in this chapter.

9 [Sections 3860.008-3860.050 reserved for expansion]

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 3860.051. COMPOSITION; TERMS. (a) The district is
12 governed by a board of 14 voting directors who serve staggered terms
13 of four years, with seven directors' terms expiring June 1 of each
14 odd-numbered year.

15 (b) The board by order or resolution may increase or
16 decrease the number of voting directors on the board, but only if it
17 is in the best interest of the district to do so. The board may not:

18 (1) increase the number of directors to more than 15;

19 or

20 (2) decrease the number of directors to fewer than
21 five.

22 Sec. 3860.052. APPOINTMENT OF DIRECTORS. The mayor and
23 members of the governing body of the City of Houston shall appoint
24 voting directors from persons recommended by the board. A person is
25 appointed if a majority of the members of the governing body,
26 including the mayor, vote to appoint that person.

27 Sec. 3860.053. NONVOTING DIRECTORS. (a) The following

1 persons serve as nonvoting directors:

2 (1) the directors of the following departments of the
3 City of Houston or a person designated by that director:

4 (A) parks and recreation;

5 (B) planning and development; and

6 (C) public works; and

7 (2) the City of Houston's chief of police.

8 (b) If a department described by Subsection (a) is
9 consolidated, renamed, or changed, the board may appoint a director
10 of the consolidated, renamed, or changed department as a nonvoting
11 director. If a department described by Subsection (a) is
12 abolished, the board may appoint a representative of another
13 department that performs duties comparable to those performed by
14 the abolished department.

15 Sec. 3860.054. QUORUM. (a) A majority of the board is a
16 quorum.

17 (b) Nonvoting directors and vacant director positions are
18 not counted for the purposes of establishing a board quorum.

19 Sec. 3860.055. CONFLICTS OF INTEREST; ONE-TIME AFFIDAVIT.

20 (a) Except as provided by this section:

21 (1) a director may participate in all board votes and
22 decisions; and

23 (2) Chapter 171, Local Government Code, governs
24 conflicts of interest for directors.

25 (b) Section 171.004, Local Government Code, does not apply
26 to the district. A director who has a substantial interest in a
27 business or charitable entity that will receive a pecuniary benefit

1 from a board action shall file a one-time affidavit declaring the
2 interest. An additional affidavit is not required if the
3 director's interest changes. After the affidavit is filed with the
4 board secretary, the director may participate in a discussion or
5 vote on that action if:

6 (1) a majority of the directors have a similar
7 interest in the same entity; or

8 (2) all other similar business or charitable entities
9 in the district will receive a similar pecuniary benefit.

10 (c) A director who is also an officer or employee of a public
11 entity may not participate in the discussion of or vote on a matter
12 regarding a contract with that public entity.

13 (d) For purposes of this section, a director has a
14 substantial interest in a charitable entity in the same manner that
15 a person would have a substantial interest in a business entity
16 under Section 171.002, Local Government Code.

17 Sec. 3860.056. COMPENSATION OF VOTING DIRECTORS. Voting
18 directors may receive fees of office and reimbursement of expenses
19 as provided by Section 49.060, Water Code.

20 Sec. 3860.057. INITIAL VOTING DIRECTORS. (a) The initial
21 board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Vivian Harris</u>
<u>2</u>	<u>Homer Clark</u>
<u>3</u>	<u>Rita Foretich</u>
<u>4</u>	<u>Lance Gilliam</u>
<u>5</u>	<u>Melva Thorton</u>

1	<u>6</u>	<u>Eileen Barrett Williams</u>
2	<u>7</u>	<u>Rhonda Jordan</u>
3	<u>8</u>	<u>Willie Belle Boone</u>
4	<u>9</u>	<u>Rev. Wallace Lockett</u>
5	<u>10</u>	<u>Rev. Jefferson</u>
6	<u>11</u>	<u>Anganette Young</u>
7	<u>12</u>	<u>Theldon Branch</u>
8	<u>13</u>	<u>Mark O'Sikes</u>
9	<u>14</u>	<u>Keith Wade</u>

10 (b) Of the initial voting directors, the terms of directors
11 appointed for even-numbered positions expire June 1, 2009, and the
12 terms of directors appointed for odd-numbered positions expire June
13 1, 2011.

14 (c) Section 3860.052 does not apply to this section.

15 (d) This section expires September 1, 2011.

16 [Sections 3860.058-3860.100 reserved for expansion]

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 3860.101. GENERAL DISTRICT POWERS. The district has
19 all powers necessary to accomplish the purposes for which the
20 district was created.

21 Sec. 3860.102. DEVELOPMENT CORPORATION AND HOUSING
22 CORPORATION POWERS OF DISTRICT. The district may exercise the
23 powers given to:

24 (1) a corporation under Section 4B, Development
25 Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil
26 Statutes), including the power to own, operate, acquire, construct,
27 lease, improve, and maintain the projects described by that

1 section; and

2 (2) a housing finance corporation under Chapter 394,
3 Local Government Code, to provide housing or residential
4 development projects in the district.

5 Sec. 3860.103. NONPROFIT CORPORATION. (a) The board by
6 resolution may authorize the creation of a nonprofit corporation to
7 assist and act for the district in implementing a project or
8 providing a service authorized by this chapter.

9 (b) The nonprofit corporation:

10 (1) has each power of and is considered for purposes of
11 this chapter to be a local government corporation created under
12 Chapter 431, Transportation Code; and

13 (2) may implement any project and provide any service
14 authorized by this chapter.

15 (c) The board shall appoint the board of directors of the
16 nonprofit corporation. The board of directors of the nonprofit
17 corporation shall serve in the same manner as, for the same term as,
18 and on the same conditions as the board of directors of a local
19 government corporation created under Chapter 431, Transportation
20 Code.

21 Sec. 3860.104. AGREEMENTS; GRANTS. (a) The district may
22 make an agreement with or accept a gift, grant, or loan from any
23 person.

24 (b) The implementation of a project is a governmental
25 function or service for the purposes of Chapter 791, Government
26 Code.

27 Sec. 3860.105. CONTRACT FOR LAW ENFORCEMENT SERVICES. To

1 protect the public interest, the district may contract with:

2 (1) Harris County or the City of Houston for the county
3 or the city to provide law enforcement services in the district for
4 a fee; and

5 (2) a private entity for the private entity to provide
6 supplemental security services.

7 Sec. 3860.106. APPROVAL BY CITY OF HOUSTON. (a) Except as
8 provided by Subsection (b), the district must obtain the approval
9 of the City of Houston's governing body for:

10 (1) the issuance of a bond for each improvement
11 project;

12 (2) the plans and specifications of the improvement
13 project financed by the bond; and

14 (3) the plans and specifications of any district
15 improvement project related to the use of land owned by the City of
16 Houston, an easement granted by the City of Houston, or a
17 right-of-way of a street, road, or highway.

18 (b) If the district obtains the approval of the City of
19 Houston's governing body of a capital improvements budget for a
20 period not to exceed five years, the district may finance the
21 capital improvements and issue bonds specified in the budget
22 without further approval from the City of Houston.

23 Sec. 3860.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
24 district may join and pay dues to an organization that:

25 (1) is an organization exempt from taxation under
26 Section 501(a), Internal Revenue Code of 1986, as an organization
27 described by Section 501(c)(3), (4), or (6) of that code; and

1 (2) performs a service or provides an activity
2 consistent with the furtherance of a district purpose.

3 Sec. 3860.108. ROAD POWERS. (a) The district may exercise
4 the powers given to:

5 (1) a road district created under Chapter 257,
6 Transportation Code; and

7 (2) a road utility district created under Chapter 441,
8 Transportation Code.

9 (b) The district does not need the approval of the Texas
10 Department of Transportation or the Texas Transportation
11 Commission to construct a road or street if the director of public
12 works of the City of Houston has approved the road or street.

13 Sec. 3860.109. AIR RIGHTS; CONSTRUCTION. The district may
14 acquire air rights and may construct improvements on property on
15 which it only owns air rights.

16 Sec. 3860.110. ADDITIONAL PROPERTY RIGHTS; LEASEHOLDS. The
17 district may construct improvements on property on which it only
18 has a leasehold interest and may own undivided interests in
19 buildings and other improvements.

20 Sec. 3860.111. DIVISION OF DISTRICT. (a) The district
21 shall be divided into two districts only if the district is not
22 imposing ad valorem taxes.

23 (b) Not later than the 60th day after the effective date of
24 the Act creating this chapter, the board shall adopt an order
25 dividing the district into two districts. The original district
26 includes all district territory not included in the new district.
27 The new district includes all the territory included in state

1 representative district 131 on the date the division is effective.
2 Neither district may request consent to its creation from the City
3 of Houston until the order dividing the district is adopted.

4 (c) After the division of the district:

5 (1) the original district is governed by a board of
6 seven voting directors consisting of the directors appointed to
7 positions 8 through 14; and

8 (2) the new district is governed by a board of seven
9 voting directors consisting of the directors appointed to positions
10 one through seven of the original district.

11 (d) An order dividing the district must:

12 (1) name the new district;

13 (2) describe the boundaries of the new district;

14 (3) name the initial directors of the new district;

15 and

16 (4) divide the assets and liabilities in any manner
17 between the new district and the original district.

18 (e) Not later than the 10th day after the date the board
19 adopts the order, the district shall file the order with the Texas
20 Commission on Environmental Quality and record the order in the
21 real property records of Harris County.

22 (f) The new district has all the powers and duties of the
23 district.

24 Sec. 3860.112. NO EMINENT DOMAIN POWER. The district may
25 not exercise the power of eminent domain.

26 [Sections 3860.113-3860.150 reserved for expansion]

1 SUBCHAPTER D. PUBLIC TRANSIT SYSTEM AND PARKING FACILITIES

2 Sec. 3860.151. PUBLIC TRANSIT SYSTEM. The district may
3 acquire, lease as lessor or lessee, construct, develop, own,
4 operate, and maintain a public transit system to serve the area in
5 the district.

6 Sec. 3860.152. PARKING FACILITIES AUTHORIZED; OPERATION BY
7 PRIVATE ENTITY; TAX EXEMPTION. (a) The district may acquire, lease
8 as lessor or lessee, construct, develop, own, operate, and maintain
9 parking facilities, including:

10 (1) lots, garages, parking terminals, or other
11 structures or accommodations for the parking of motor vehicles; and

12 (2) equipment, entrances, exits, fencing, and other
13 accessories necessary for safety and convenience in the parking of
14 vehicles.

15 (b) A parking facility of the district must be either leased
16 to or operated on behalf of the district by a private entity or an
17 entity other than the district. The district's parking facilities
18 are a program authorized by the legislature under Section 52-a,
19 Article III, Texas Constitution, and accomplish a public purpose
20 under that section even if leased or operated by a private entity
21 for a term of years.

22 (c) The district's public parking facilities and any lease
23 to a private entity are exempt from the payment of ad valorem taxes
24 and state and local sales and use taxes.

25 Sec. 3860.153. RULES. The district may adopt rules
26 covering its public transit system or its public parking facilities
27 except that a rule relating to or affecting the use of the public

1 right-of-way or a requirement for off-street parking is subject to
2 all applicable municipal charter, code, or ordinance requirements.

3 Sec. 3860.154. FINANCING OF PUBLIC TRANSIT SYSTEM OR
4 PARKING FACILITIES. (a) The district may use any of its resources,
5 including revenue, assessments, taxes, and grant or contract
6 proceeds, to pay the cost of acquiring and operating a public
7 transit system or public parking facilities.

8 (b) The district may set and impose fees, charges, or tolls
9 for the use of the public transit system or the public parking
10 facilities and may issue bonds or notes to finance the cost of these
11 facilities.

12 (c) If the district pays for or finances the cost of
13 acquiring or operating a public transit system or public parking
14 facilities with resources other than assessments, a petition of
15 property owners or a public hearing is not required.

16 Sec. 3860.155. AGREEMENT WITH RAPID TRANSIT AUTHORITY. (a)
17 In this section, "authority" means a rapid transit authority
18 created under Chapter 451, Transportation Code.

19 (b) The district and an authority may agree to jointly
20 construct, own, operate, and maintain a transit facility or a
21 parking facility under the terms the authority and district desire.

22 (c) The agreement may provide that the district and the
23 authority exchange or trade land provided that each party to the
24 agreement receives fair market value. The authority is not
25 required to offer any property that it proposes to trade to the
26 district for sale to the public or for sale to any abutting property
27 owner.

1 [Sections 3860.156-3860.200 reserved for expansion]

2 SUBCHAPTER E. FINANCIAL PROVISIONS

3 Sec. 3860.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
4 board by resolution shall establish the number of directors'
5 signatures and the procedure required for a disbursement or
6 transfer of the district's money.

7 Sec. 3860.202. PETITION REQUIRED FOR FINANCING SERVICES AND
8 IMPROVEMENTS. (a) The board may not finance a service or
9 improvement project with assessments under this chapter unless a
10 written petition requesting that service or improvement has been
11 filed with the board.

12 (b) A petition requesting a project financed by assessment
13 must be signed by:

14 (1) the owners of a majority of the assessed value of
15 real property in the district subject to assessment according to
16 the most recent certified tax appraisal roll for Harris County; or

17 (2) at least 25 owners of real property in the district
18 that will be subject to the assessment, if more than 25 persons own
19 real property subject to the assessment in the district according
20 to the most recent certified tax appraisal roll for Harris County.

21 Sec. 3860.203. MAINTENANCE TAX. (a) If authorized at an
22 election held in accordance with Section 3860.208, the district may
23 impose an annual ad valorem tax on taxable property in the district
24 to:

25 (1) administer the district;

26 (2) maintain and operate the district;

27 (3) construct or acquire improvements; or

1 (4) provide a service.

2 (b) The board shall determine the tax rate.

3 (c) An owner of real property in the district, except
4 property exempt under the Texas or United States Constitution or
5 under the Tax Code, is liable for the payment of ad valorem taxes
6 imposed by the district on the property.

7 Sec. 3860.204. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
8 The board by resolution may impose and collect an assessment for any
9 purpose authorized by this chapter.

10 (b) An assessment, a reassessment, or an assessment
11 resulting from an addition to or correction of the assessment roll
12 by the district, penalties and interest on an assessment or
13 reassessment, an expense of collection, and reasonable attorney's
14 fees incurred by the district:

15 (1) are a first and prior lien against the property
16 assessed;

17 (2) are superior to any other lien or claim other than
18 a lien or claim for county, school district, or municipal ad valorem
19 taxes; and

20 (3) are the personal liability of and a charge against
21 the owners of the property even if the owners are not named in the
22 assessment proceedings.

23 (c) The lien is effective from the date of the board's
24 resolution imposing the assessment until the date the assessment is
25 paid. The board may enforce the lien in the same manner that the
26 board may enforce an ad valorem tax lien against real property.

27 (d) The board may make a correction to or deletion from the

1 assessment roll that does not increase the amount of assessment of
2 any parcel of land without providing notice and holding a hearing in
3 the manner required for additional assessments.

4 Sec. 3860.205. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
5 ASSESSMENTS. The district may not impose an impact fee or
6 assessment on the property, including the equipment,
7 rights-of-way, facilities, or improvements, of:

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

10 (2) a gas utility as defined by Section 101.003 or
11 121.001, Utilities Code;

12 (3) a telecommunications provider as defined by
13 Section 51.002, Utilities Code; or

14 (4) a person who provides to the public cable
15 television or advanced telecommunications services.

16 Sec. 3860.206. BONDS AND OTHER OBLIGATIONS. (a) The
17 district may issue bonds or other obligations payable wholly or
18 partly from assessments, impact fees, revenue, grants, or other
19 money of the district, or any combination of those sources of money,
20 to pay for any authorized district purpose.

21 (b) In exercising the district's power to borrow, the
22 district may issue a bond or other obligation in the form of a bond,
23 note, certificate of participation or other instrument evidencing a
24 proportionate interest in payments to be made by the district, or
25 other type of obligation.

26 Sec. 3860.207. LIMIT ON PARKS AND RECREATION BONDS. Bonds
27 issued to finance parks and recreational facilities may not exceed

1 one percent of the assessed value of the real property in the
2 district according to the most recent certified tax appraisal roll
3 for Harris County.

4 Sec. 3860.208. TAX AND BOND ELECTIONS. (a) The district
5 shall hold an election in the manner provided by Subchapter L,
6 Chapter 375, Local Government Code, to obtain voter approval before
7 the district imposes a maintenance tax or issues bonds payable from
8 ad valorem taxes.

9 (b) The board may not include more than one purpose in a
10 single proposition at an election.

11 (c) Section 375.243, Local Government Code, does not apply
12 to the district.

13 Sec. 3860.209. POWERS OF MUNICIPAL UTILITY DISTRICT TO
14 ESTABLISH DEFINED AREAS AND DESIGNATED PROPERTY; TAXES; BONDS. (a)
15 The district has the powers of a municipal utility district under
16 Subchapter J, Chapter 54, Water Code, including the power to:

17 (1) implement a plan adopted under that subchapter;

18 (2) issue bonds; and

19 (3) impose a tax in a defined area established under
20 that subchapter.

21 (b) The district may exercise the powers described by
22 Subsection (a) regardless of whether the district is composed of
23 the minimum number of acres provided by Section 54.801, Water Code.

24 Sec. 3860.210. MUNICIPALITY NOT REQUIRED TO PAY DISTRICT
25 OBLIGATIONS. Except as provided by Section 375.263, Local
26 Government Code, a municipality is not required to pay a bond, note,
27 or other obligation of the district.

1 Sec. 3860.211. COMPETITIVE BIDDING. Section 375.221, Local
2 Government Code, applies to the district only for a contract that
3 has a value greater than \$25,000.

4 [Sections 3860.212-3860.250 reserved for expansion]

5 SUBCHAPTER F. DISSOLUTION

6 Sec. 3860.251. DISSOLUTION OF DISTRICT WITH OUTSTANDING
7 DEBT. (a) The board may dissolve the district regardless of
8 whether the district has debt. Section 375.264, Local Government
9 Code, does not apply to the district.

10 (b) If the district has debt when it is dissolved, the
11 district shall remain in existence solely for the purpose of
12 discharging its debts. The dissolution is effective when all debts
13 have been discharged.

14 SECTION 2. BOUNDARIES. As of the effective date of this
15 Act, the Harris County Improvement District No. 10 includes all
16 territory generally bounded by the following described area:

17 Beginning at a point on the North at the intersection of
18 Almeda and the 610 South Loop, thence in an easterly direction along
19 the centerline of the 610 South Loop to the intersection of the 610
20 South Loop and MLK; thence in a southerly direction along the
21 centerline of MLK to the intersection of MLK and E. Orem; thence in
22 a westerly direction along the centerline of E. Orem to the
23 intersection of E. Orem and Cullen; thence in a southerly direction
24 along the centerline of Cullen to the intersection of Cullen and
25 Almeda-Genoa; thence in a westerly direction along the centerline
26 of Almeda-Genoa to the intersection of Almeda-Genoa and Almeda;
27 thence in a northerly direction to the intersection of Almeda and

1 the 610 South Loop.

2 SECTION 3. REIMBURSEMENT FOR COST OF CREATION. The Harris
3 County Improvement District No. 10 may reimburse the cost of
4 creating the district from assessments or other revenue created by
5 the district.

6 SECTION 4. LEGISLATIVE FINDINGS. The legislature finds
7 that:

8 (1) proper and legal notice of the intention to
9 introduce this Act, setting forth the general substance of this
10 Act, has been published as provided by law, and the notice and a
11 copy of this Act have been furnished to all persons, agencies,
12 officials, or entities to which they are required to be furnished by
13 the constitution and laws of this state, including the governor,
14 who has submitted the notice and Act to the Texas Commission on
15 Environmental Quality;

16 (2) the Texas Commission on Environmental Quality has
17 filed its recommendations relating to this Act with the governor,
18 lieutenant governor, and speaker of the house of representatives
19 within the required time;

20 (3) the general law relating to consent by political
21 subdivisions to the creation of districts with conservation,
22 reclamation, and road powers and the inclusion of land in those
23 districts has been complied with; and

24 (4) all requirements of the constitution and laws of
25 this state and the rules and procedures of the legislature with
26 respect to the notice, introduction, and passage of this Act have
27 been fulfilled and accomplished.

1 SECTION 5. INAPPLICABILITY OF NOTICE LAW. Section 313.006,
2 Government Code, does not apply to this Act.

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

ADOPTED

MAY 22 2007

Atty. Gen. Spaw
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

Ellis

1 Amend H.B. 4134 (senate committee printing) in SECTION 1 of
2 the bill, in added Section 3860.108, Special District Local Laws
3 Code, as follows:

4 (1) Strike "(a)" (page 5, line 5).

5 (2) Strike added Subsection (b) (page 5, lines 11 through
6 14).

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 18, 2007

TO: Honorable Kip Averitt, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4134** by Miles (Relating to the creation of the Harris County Improvement District No. 10; providing authority to impose a tax and issue bonds.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, WK, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 2, 2007

TO: Honorable Kevin Bailey, Chair, House Committee on Urban Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4134** by Miles (Relating to the creation of the Harris County Improvement District No. 10; providing authority to impose a tax and issue bonds.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, DB

