

Amend CSHB 3485 (Senate committee report) as follows:

(1) Insert the following appropriately numbered SECTIONS to the bill:

SECTION __. (a) Section 372.1011, Local Government Code, is amended to read as follows:

Sec. 372.1011. APPLICABILITY. This subchapter applies only to:

(1) a county with a population of 1.2 million [~~825,000~~] or more, other than a county that:

(A) borders on the Gulf of Mexico or a bay or inlet of the gulf; or

(B) has two municipalities located wholly or partly in its boundaries each having a population of 300,000 or more; or

(2) a county with a population of 70,000 or more that is adjacent to a county described by Subdivision (1) in which a municipality with a population of 35,000 or more is primarily situated and includes all or a part of the extraterritorial jurisdiction of a municipality with a population of 1.1 million or more.

(b) This section takes effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes does not become law. If the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes becomes law, this section has no effect.

SECTION __. Subchapter C, Chapter 372, Local Government Code, is amended by adding Section 372.1245 to read as follows:

Sec. 372.1245. ANNEXATION OR EXCLUSION OF LAND. (a) A district may annex or exclude land from the district as provided by Subchapter J, Chapter 49, Water Code.

(b) Before a district may adopt an order adding or excluding land, the district must obtain the consent of:

(1) the county that created the district by a resolution of the county commissioners court; and

(2) a municipality in which the district is located, or in whose extraterritorial jurisdiction the district is located,

by a resolution adopted by the municipality's governing body.

SECTION __. Subsection (c), Section 372.127, Local Government Code, is amended to read as follows:

(c) A county must adopt an order providing whether a district has the authority to impose a hotel occupancy tax, sales and use tax, or ad valorem tax, and must provide the maximum rate at which the district may impose the tax. [~~A tax rate approved by the commissioners court and pledged to secure bonds, notes, grant agreements, or development agreements may not be reduced until the obligations of those instruments have been satisfied.~~]

SECTION __. (a) Section 382.002, Local Government Code, is amended to read as follows:

Sec. 382.002. APPLICABILITY. This chapter applies only to:

(1) a county with a population of 1.2 million [~~825,000~~] or more, other than a county that:

(A) borders on the Gulf of Mexico or a bay or inlet of the gulf; or

(B) has two municipalities located wholly or partly in its boundaries each having a population of 300,000 or more; or

(2) a county with a population of 70,000 or more that is adjacent to a county described by Subdivision (1) in which a municipality with a population of 35,000 or more is primarily situated and includes all or a part of the extraterritorial jurisdiction of a municipality with a population of 1.1 million or more.

(b) This section takes effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes becomes law. If the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes does not become law, this section has no effect.

SECTION __. Subchapter C, Chapter 382, Local Government Code, is amended by adding Section 382.113 to read as follows:

Sec. 382.113. ANNEXATION OR EXCLUSION OF LAND. (a) A district may annex or exclude land from the district as provided by

Subchapter J, Chapter 49, Water Code.

(b) Before a district may adopt an order adding or excluding land, the district must obtain the consent of:

(1) the county that created the district by a resolution of the county commissioners court; and

(2) a municipality in which the district is located, or in whose extraterritorial jurisdiction the district is located, by a resolution adopted by the municipality's governing body.

SECTION __. Subsection (c), Section 382.153, Local Government Code, is amended to read as follows:

(c) A county must adopt an order providing whether a district has the authority to impose a hotel occupancy tax, sales and use tax, or ad valorem tax, and must provide the maximum rate at which the district may impose the tax. ~~[A tax rate approved by the commissioners court and pledged to secure bonds, notes, grant agreements, or development agreements may not be reduced until the obligations of those instruments have been satisfied.]~~

SECTION __. (a) The legislature validates and confirms all governmental acts and proceedings before the effective date of this Act of a district created under Subchapter C, Chapter 372, Local Government Code, as that chapter existed before the effective date of this Act, including acts of the district's board of directors.

(b) Subsection (a) of this section does not apply to a matter that on the effective date of this Act:

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

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

SECTION __. (a) The Sections of this Act amending Chapter 372, Local Government Code, take effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes does not become law. If the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes becomes law, the Sections of this Act amending Chapter 372, Local Government Code, have no effect.

(b) The Sections of this Act amending Chapter 382, Local

Government Code, take effect only if the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes becomes law. If the Act of the 81st Legislature, Regular Session, 2009, relating to nonsubstantive additions to and corrections in enacted codes does not become law, the Sections of this Act amending Chapter 382, Local Government Code, have no effect.

(2) Renumber SECTIONS of the bill appropriately.