

By: Bolton

H.B. No. 4797

Substitute the following for H.B. No. 4797:

By: Marquez

C.S.H.B. No. 4797

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Travis County Improvement District No. 1; providing authority to impose an assessment, 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 3863 to read as follows:

CHAPTER 3863. TRAVIS COUNTY IMPROVEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3863.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Travis County Improvement District No. 1.

Sec. 3863.002. NATURE OF DISTRICT. The Travis County Improvement District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3863.003. 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 Travis County and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public

1 purposes set out in Section 52-a, Article III, Texas Constitution.

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

7 (c) This chapter and the creation of the district may not be  
8 interpreted to relieve Travis County from providing the level of  
9 services provided, as of the effective date of the Act enacting this  
10 chapter, to the area in the district. The district is created to  
11 supplement and not to supplant the county services provided in the  
12 area in the district.

13 Sec. 3863.004. 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) The creation of the district is in the public interest  
21 and is essential to:

22 (1) further the public purposes of developing and  
23 diversifying the economy of the state;

24 (2) eliminate unemployment and underemployment; and

25 (3) develop or expand transportation and commerce.

26 (d) The district will:

27 (1) promote the health, safety, and general welfare of

1 residents, employers, potential employees, employees, visitors,  
2 and consumers in the district, and of the public;

3 (2) provide needed funding for the district to  
4 preserve, maintain, and enhance the economic health and vitality of  
5 the district territory as a community and business center;

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

11 (4) provide for water, wastewater, drainage, road,  
12 and recreational facilities for the district.

13 (e) Pedestrian ways along or across a street, whether at  
14 grade or above or below the surface, and street lighting, street  
15 landscaping, parking, and street art objects are parts of and  
16 necessary components of a street and are considered to be a street  
17 or road improvement.

18 (f) The district will not act as the agent or  
19 instrumentality of any private interest even though the district  
20 will benefit many private interests as well as the public.

21 Sec. 3863.005. INITIAL DISTRICT TERRITORY. (a) The  
22 district is initially composed of the territory described by  
23 Section 2 of the Act enacting this chapter.

24 (b) The boundaries and field notes contained in Section 2 of  
25 the Act enacting this chapter form a closure. A mistake in the  
26 field notes or in copying the field notes in the legislative process  
27 does not affect the district's:

1           (1) organization, existence, or validity;

2           (2) right to issue any type of bond for the purposes  
3 for which the district is created or to pay the principal of and  
4 interest on the bond;

5           (3) right to impose or collect an assessment or tax; or

6           (4) legality or operation.

7       Sec. 3863.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

8 All or any part of the area of the district is eligible to be  
9 included in:

10           (1) a tax increment reinvestment zone created under  
11 Chapter 311, Tax Code;

12           (2) a tax abatement reinvestment zone created under  
13 Chapter 312, Tax Code; or

14           (3) an enterprise zone created under Chapter 2303,  
15 Government Code.

16       Sec. 3863.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
17 DISTRICTS LAW. Except as otherwise provided by this chapter,  
18 Chapter 375, Local Government Code, applies to the district.

19       Sec. 3863.008. LIBERAL CONSTRUCTION OF CHAPTER. This  
20 chapter shall be liberally construed in conformity with the  
21 findings and purposes stated in this chapter.

22       [Sections 3863.009-3863.050 reserved for expansion]

23           SUBCHAPTER B. BOARD OF DIRECTORS

24       Sec. 3863.051. GOVERNING BODY; TERMS. The district is  
25 governed by a board of five voting directors who serve staggered  
26 terms of four years, with two or three directors' terms expiring  
27 June 1 of each odd-numbered year.

1       Sec. 3863.052. APPOINTMENT OF DIRECTORS. The Texas  
2 Commission on Environmental Quality shall appoint voting directors  
3 from persons recommended by the board.

4       Sec. 3863.053. INITIAL VOTING DIRECTORS. (a) On or after  
5 the effective date of the Act creating this chapter, the owner or  
6 owners of a majority of the assessed value of the real property in  
7 the district may submit a petition to the Texas Commission on  
8 Environmental Quality requesting that the commission appoint as  
9 initial voting directors the five persons named in the petition.  
10 The commission shall appoint the five persons named in the petition  
11 as initial voting directors by position.

12       (b) Of the initial voting directors, the terms of directors  
13 appointed for positions 1 through 3 expire June 1, 2011, and the  
14 terms of directors appointed for positions 4 and 5 expire June 1,  
15 2013.

16       (c) Section 3863.052 does not apply to the appointment of  
17 directors under this section.

18       (d) This section expires September 1, 2014.

19       Sec. 3863.054. NONVOTING DIRECTORS. The board may appoint  
20 nonvoting directors to serve at the pleasure of the voting  
21 directors.

22       Sec. 3863.055. QUORUM. For purposes of determining the  
23 requirements for a quorum of the board, the following are not  
24 counted:

25               (1) a board position vacant for any reason, including  
26 death, resignation, or disqualification;

27               (2) a director who is abstaining from participation in

1 a vote because of a conflict of interest; or

2 (3) a nonvoting director.

3 Sec. 3863.056. COMPENSATION. A director is entitled to  
4 receive fees of office and reimbursement for actual expenses as  
5 provided by Section 49.060, Water Code. Sections 375.069 and  
6 375.070, Local Government Code, do not apply to the board.

7 [Sections 3863.057-3863.100 reserved for expansion]

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 3863.101. DEVELOPMENT CORPORATION POWERS. The  
10 district may exercise the powers given to a development corporation  
11 under Chapter 505, Local Government Code, including the power to  
12 own, operate, acquire, construct, lease, improve, or maintain a  
13 project described by that chapter.

14 Sec. 3863.102. AGREEMENTS; GRANTS. (a) The district may  
15 make an agreement with or accept a gift, grant, or loan from any  
16 person.

17 (b) The implementation of a project is a governmental  
18 function or service for the purposes of Chapter 791, Government  
19 Code.

20 Sec. 3863.103. AUTHORITY TO CONTRACT FOR LAW ENFORCEMENT  
21 SERVICES. To protect the public interest, the district may  
22 contract with a qualified person, including Travis County, for the  
23 provision of law enforcement services in the district for a fee.

24 Sec. 3863.104. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
25 district may join and pay dues to a charitable or nonprofit  
26 organization that performs a service or provides an activity  
27 consistent with the furtherance of a district purpose.

1       Sec. 3863.105. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
2 district may establish and provide for the administration of one or  
3 more programs to promote state or local economic development and to  
4 stimulate business and commercial activity in the district,  
5 including programs to:

6               (1) make loans and grants of public money; and

7               (2) provide district personnel and services.

8       (b) The district has all of the powers of a municipality  
9 under Chapter 380, Local Government Code.

10       Sec. 3863.106. STRATEGIC PARTNERSHIP AGREEMENT. The  
11 district may negotiate and enter into a written strategic  
12 partnership with a municipality under Section 43.0751, Local  
13 Government Code.

14       Sec. 3863.107. NO EMINENT DOMAIN. The district may not  
15 exercise the power of eminent domain.

16       Sec. 3863.108. ANNEXATION OR EXCLUSION OF LAND. (a) The  
17 district may annex land as provided by Subchapter J, Chapter 49,  
18 Water Code.

19       (b) The district may exclude land as provided by Subchapter  
20 J, Chapter 49, Water Code. Section 375.044(b), Local Government  
21 Code, does not apply to the district.

22       [Sections 3863.109-3863.150 reserved for expansion]

23               SUBCHAPTER D. PUBLIC PARKING FACILITIES

24       Sec. 3863.151. PARKING FACILITIES AUTHORIZED; OPERATION BY  
25 PRIVATE ENTITY. (a) The district may acquire, lease as lessor or  
26 lessee, construct, develop, own, operate, and maintain parking  
27 facilities or a system of parking facilities, including:

1           (1) lots, garages, parking terminals, or other  
2 structures or accommodations for parking motor vehicles off the  
3 streets; and

4           (2) equipment, entrances, exits, fencing, and other  
5 accessories necessary for safety and convenience in parking  
6 vehicles.

7           (b) A parking facility of the district may be leased to or  
8 operated on behalf of the district by an entity other than the  
9 district.

10          (c) The district's parking facilities are a program  
11 authorized by the legislature under Section 52-a, Article III,  
12 Texas Constitution.

13          (d) The district's parking facilities serve the public  
14 purposes of the district and are owned, used, and held for a public  
15 purpose even if leased or operated by a private entity for a term of  
16 years.

17          Sec. 3863.152. RULES. The district may adopt rules  
18 governing the district's public parking facilities.

19          Sec. 3863.153. FINANCING OF PUBLIC PARKING FACILITIES. (a)  
20 The district may use any of its resources, including revenue,  
21 assessments, taxes, or grant or contract proceeds, to pay the cost  
22 of acquiring or operating public parking facilities.

23          (b) The district may:

24               (1) set, charge, impose, and collect fees, charges, or  
25 tolls for the use of the district's public parking facilities; and

26               (2) issue bonds or notes to finance the cost of the  
27 district's public parking facilities.

1       Sec. 3863.154. ROAD IMPROVEMENTS. (a) Before development  
2 begins, the district must obtain a traffic impact analysis  
3 performed by a qualified independent traffic consultant for the  
4 purpose of determining the impact of increased traffic caused by  
5 the development of property in the district on Pale Face Road or  
6 other major roads connecting the district to State Highway 71. The  
7 traffic impact analysis must identify the district's proportionate  
8 impact on the roads, based on the daily average number of trips to  
9 be generated from the district compared to the total daily average  
10 number of trips estimated to be generated from the total service  
11 area for the roads at full development.

12       (b) The district or a developer of land in the district  
13 shall pay the district's proportionate share of the costs or design  
14 and construct the district's proportionate share necessary to  
15 improve roads as needed to maintain the normal level of service on  
16 Pale Face Road or any other connector roads. The payments or  
17 improvements shall be phased to meet the increased traffic.

18       (c) This section does not obligate the district to  
19 participate in the construction or financing of State Highway 71 or  
20 any other state highway.

21       [Sections 3863.155-3863.200 reserved for expansion]

22       SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

23       Sec. 3863.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
24 board by resolution shall establish the number of directors'  
25 signatures and the procedure required for a disbursement or  
26 transfer of the district's money.

27       Sec. 3863.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.

1 The district may acquire, construct, finance, operate, or maintain  
2 any improvement or service authorized under this chapter or Chapter  
3 375, Local Government Code, using any money available to the  
4 district.

5 Sec. 3863.203. PETITION REQUIRED FOR FINANCING SERVICES AND  
6 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
7 service or improvement project with assessments under this chapter  
8 unless a written petition requesting that service or improvement  
9 has been filed with the board.

10 (b) A petition filed under Subsection (a) must be signed by  
11 the owners of a majority of the assessed value of real property in  
12 the district subject to assessment according to the most recent  
13 certified tax appraisal roll for Travis County.

14 Sec. 3863.204. METHOD OF NOTICE FOR HEARING. The district  
15 may mail the notice required by Section 375.115(c), Local  
16 Government Code, by certified or first class United States mail.  
17 The board shall determine the method of mailing notice.

18 Sec. 3863.205. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
19 The board by resolution may impose and collect an assessment for any  
20 purpose authorized by this chapter in all or any part of the  
21 district.

22 (b) An assessment, a reassessment, or an assessment  
23 resulting from an addition to or correction of the assessment roll  
24 by the district, penalties and interest on an assessment or  
25 reassessment, an expense of collection, and reasonable attorney's  
26 fees incurred by the district:

27 (1) are a first and prior lien against the property

1 assessed;

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

5 (3) are the personal liability of and a charge against  
6 the owners of the property even if the owners are not named in the  
7 assessment proceedings.

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

12 (d) The board may make a correction to or deletion from the  
13 assessment roll that does not increase the amount of assessment of  
14 any parcel of land without providing notice and holding a hearing in  
15 the manner required for additional assessments.

16 Sec. 3863.206. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND  
17 ASSESSMENTS. The district may not impose an impact fee or  
18 assessment on the property, including the equipment,  
19 rights-of-way, facilities, or improvements, of:

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

22 (2) a gas utility as defined by Section 101.003 or  
23 121.001, Utilities Code;

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

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

1       Sec. 3863.207. RESIDENTIAL PROPERTY. Section 375.161,  
2 Local Government Code, does not apply to a tax imposed by the  
3 district or to a required payment for a service provided by the  
4 district, including water and sewer service.

5       Sec. 3863.208. OPERATION AND MAINTENANCE TAX. (a) If  
6 authorized at an election held in accordance with Section 3863.212,  
7 the district may impose an annual operation and maintenance tax on  
8 taxable property in the district in accordance with Section 49.107,  
9 Water Code, for any district purpose, including to:

10             (1) maintain and operate the district;

11             (2) construct or acquire improvements; or

12             (3) provide a service.

13       (b) The board shall determine the tax rate. The rate may not  
14 exceed the rate approved at the election.

15       (c) Section 49.107(h), Water Code, does not apply to the  
16 district.

17       Sec. 3863.209. CONTRACT TAXES. (a) In accordance with  
18 Section 49.108, Water Code, the district may impose a tax other than  
19 an operation and maintenance tax and use the revenue derived from  
20 the tax to make payments under a contract after the provisions of  
21 the contract have been approved by a majority of the district voters  
22 voting at an election held for that purpose.

23       (b) A contract approved by the district voters may contain a  
24 provision stating that the contract may be modified or amended by  
25 the board without further voter approval.

26       Sec. 3863.210. AUTHORITY TO BORROW MONEY AND TO ISSUE  
27 BONDS. (a) The district may borrow money on terms and conditions

1 as determined by the board. Section 375.205, Local Government  
2 Code, does not apply to a loan, line of credit, or other borrowing  
3 from a bank or financial institution secured by revenue other than  
4 ad valorem taxes.

5 (b) The district may issue bonds, notes, or other  
6 obligations payable wholly or partly from ad valorem taxes, sales  
7 and use taxes, assessments, impact fees, revenue, contract  
8 payments, grants, or other district money, or any combination of  
9 those sources of money, to pay for any authorized district purpose.

10 (c) The limitation on the outstanding principal amount of  
11 bonds, notes, and other obligations set forth in Section 49.4645,  
12 Water Code, does not apply to the district.

13 Sec. 3863.211. TAXES FOR BONDS. At the time the district  
14 issues bonds payable wholly or partly from ad valorem taxes, the  
15 board shall provide for the annual imposition of a continuing  
16 direct annual ad valorem tax, without limit as to rate or amount,  
17 while all or part of the bonds are outstanding as required and in  
18 the manner provided by Sections 54.601 and 54.602, Water Code.

19 Sec. 3863.212. ELECTIONS REGARDING TAXES AND BONDS. (a)  
20 The district may issue, without an election, bonds, notes, and  
21 other obligations secured by:

22 (1) revenue other than ad valorem taxes; or

23 (2) contract payments described by Section 3863.209.

24 (b) The district must hold an election in the manner  
25 provided by Subchapter L, Chapter 375, Local Government Code, to  
26 obtain voter approval before the district may impose an ad valorem  
27 tax or sales and use tax or issue bonds payable from ad valorem

1 taxes.

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

4 (d) All or any part of any facilities or improvements which  
5 may be acquired by a district by the issuance of its bonds may be  
6 included in one single proposition to be voted on at the election or  
7 the bonds may be submitted in several propositions.

8 Sec. 3863.213. COMPETITIVE BIDDING. Subchapter I, Chapter  
9 49, Water Code, applies to the district. Sections 375.221 and  
10 375.223, Local Government Code, do not apply to the district.

11 Sec. 3863.214. TAX AND ASSESSMENT ABATEMENTS. The district  
12 may grant in the manner authorized by Chapter 312, Tax Code, an  
13 abatement for a tax or assessment owed to the district.

14 [Sections 3863.215-3863.250 reserved for expansion]

15 SUBCHAPTER F. TAXES FOR CERTAIN DEFINED AREAS AND DESIGNATED  
16 PROPERTY

17 Sec. 3863.251. AUTHORITY TO ESTABLISH DEFINED AREAS OR  
18 DESIGNATED PROPERTY. The district may define areas or designate  
19 certain property of the district to pay for improvements,  
20 facilities, or services that primarily benefit that area or  
21 property and do not generally and directly benefit the district as a  
22 whole.

23 Sec. 3863.252. PROCEDURE FOR ELECTION. (a) Before the  
24 district may impose an ad valorem tax or issue bonds payable from ad  
25 valorem taxes of the area defined or property designated under  
26 Section 3863.251, the board must call and hold an election as  
27 provided by Section 3863.212 only in the defined area or in the

1 boundaries of the designated property.

2 (b) The board may submit the proposition to the voters on  
3 the same ballot to be used in another election.

4 Sec. 3863.253. DECLARING RESULT AND ISSUING ORDER. (a) If  
5 a majority of the voters voting at the election approve the  
6 proposition or propositions, the board shall declare the results  
7 and by order shall establish the defined area and describe it by  
8 metes and bounds or designate the specific property.

9 (b) A court may not review the board's order except on the  
10 ground of fraud, palpable error, or arbitrary and confiscatory  
11 abuse of discretion.

12 Sec. 3863.254. TAXES FOR SERVICES, IMPROVEMENTS, AND  
13 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter  
14 approval and adoption of the order described in Section 3863.253,  
15 the district may apply separately, differently, equitably, and  
16 specifically its taxing power and lien authority to the defined  
17 area or designated property to provide money to construct,  
18 administer, maintain, and operate services, improvements, and  
19 facilities that primarily benefit the defined area or designated  
20 property.

21 Sec. 3863.255. ISSUANCE OF BONDS AND IMPOSITION OF TAXES  
22 FOR DEFINED AREA OR DESIGNATED PROPERTY. After the order under  
23 Section 3863.253 is adopted, the district may issue bonds to  
24 provide for any land, improvements, facilities, plants, equipment,  
25 and appliances for the defined area or designated property.

26 [Sections 3863.256-3863.300 reserved for expansion]

SUBCHAPTER G. SALES AND USE TAX

Sec. 3863.301. MEANINGS OF WORDS AND PHRASES. Words and phrases used in this subchapter that are defined by Chapters 151 and 321, Tax Code, have the meanings assigned by Chapters 151 and 321, Tax Code.

Sec. 3863.302. APPLICABILITY OF CERTAIN TAX CODE PROVISIONS. (a) Except as otherwise provided by this subchapter, Subtitles A and B, Title 2, Tax Code, and Chapter 151, Tax Code, apply to taxes imposed under this subchapter and to the administration and enforcement of those taxes in the same manner that those laws apply to state taxes.

(b) Chapter 321, Tax Code, relating to municipal sales and use taxes, applies to the application, collection, change, and administration of a sales and use tax imposed under this subchapter to the extent consistent with this chapter, as if references in Chapter 321, Tax Code, to a municipality referred to the district and references to a governing body referred to the board.

(c) Sections 321.106, 321.401, 321.402, 321.403, 321.404, 321.406, 321.409, 321.506, 321.507, and 321.508, Tax Code, do not apply to a tax imposed under this subchapter.

Sec. 3863.303. AUTHORIZATION; ELECTION. (a) The district may adopt a sales and use tax to serve the purposes of the district after an election in which a majority of the voters of the district voting in the election authorize the adoption of the tax.

(b) The board by order may call an election to authorize a sales and use tax. The election may be held with any other district election.

1       (c) The district shall provide notice of the election and  
2 shall hold the election in the manner prescribed by Section  
3 3863.212.

4       (d) The ballots shall be printed to provide for voting for  
5 or against the proposition: "Authorization of a sales and use tax  
6 in the Travis County Improvement District No. 1 at a rate not to  
7 exceed \_\_\_\_\_ percent."

8       Sec. 3863.304. ABOLISHING SALES AND USE TAX. (a) Except as  
9 provided by Subsection (b), the board may abolish the sales and use  
10 tax without an election.

11       (b) The board may not abolish the sales and use tax if the  
12 district has outstanding debt secured by the tax.

13       Sec. 3863.305. SALES AND USE TAX RATE. (a) On adoption of  
14 the tax authorized by this subchapter, there is imposed a tax on the  
15 receipts from the sale at retail of taxable items in the district,  
16 and an excise tax on the use, storage, or other consumption within  
17 the district of taxable items purchased, leased, or rented from a  
18 retailer in the district during the period that the tax is in  
19 effect.

20       (b) The board shall determine the rate of the tax, which may  
21 be in one-eighth of one percent increments not to exceed the maximum  
22 rate authorized by the district voters at the election. The board  
23 may decrease the tax rate to the extent it does not impair any  
24 outstanding debt or obligations payable from the tax.

25       (c) The rate of the excise tax is the same as the rate of the  
26 sales tax portion of the tax and is applied to the sales price of the  
27 taxable item.

[Sections 3863.306-3863.350 reserved for expansion]

SUBCHAPTER H. HOTEL OCCUPANCY TAXES

Sec. 3863.351. HOTEL OCCUPANCY TAX. (a) In this section, "hotel" has the meaning assigned by Section 156.001, Tax Code.

(b) For purposes of this section, a reference in Chapter 351, Tax Code, to a municipality is a reference to the district and a reference in Chapter 351, Tax Code, to the municipality's officers or governing body is a reference to the board.

(c) Except as otherwise provided by this section, Subchapter A, Chapter 351, Tax Code, governs a hotel occupancy tax authorized by this section, including the collection of the tax.

(d) The district may impose a hotel occupancy tax and may use revenue from the tax for any district purpose that is also an authorized use of a municipality's hotel occupancy tax revenue under Chapter 351, Tax Code.

(e) The board by order may impose, repeal, increase, or decrease the rate of a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that:

(1) is in a hotel located in the district's boundaries;

(2) costs \$2 or more each day; and

(3) is ordinarily used for sleeping.

(f) The amount of the tax may not exceed seven percent of the price paid for a room in a hotel.

(g) The district may examine and receive information related to the imposition of hotel occupancy taxes to the same

1 extent as if the district were a municipality.

2 SECTION 2. The Travis County Improvement District No. 1  
3 initially includes all territory contained in the following area:

4 TRACT I - 767.09 ACRES

5 Being a 767.08 acre tract of land out of and a portion of the  
6 Maria C. Salinas Survey No. 17, Abstract No. 776, the Grigsby Survey  
7 No. 530, Abstract 331, the J. F. Cole Survey no. 303, Abstract 185,  
8 the A. M. Maxey Survey No. 344, Abstract No. 2755, and the W. W.  
9 Burton Survey No. 15 in Travis and Burnett Counties, Texas; said  
10 735.85 acre tract also being out of and a portion of a called 334.08  
11 acre tract of land as conveyed to Ralph B. Thomas, and Bette P.  
12 Thomas as recorded in Warranty Deed Number 0701526 of the Deed  
13 Records of Burnet County, Texas, a called 44.998 acre tract of land  
14 as conveyed to Ralph Bowman Thomas, as recorded in Volume 592, Page  
15 107 of the Real Property Records of Travis County, Texas, a called  
16 9.801 acre tract of land as conveyed to Ralph Bowman Thomas, as  
17 recorded in Volume 592, Page 110 of the Real Property Records of  
18 Travis County, Texas, a 210.197 acre tract of land as conveyed to  
19 Ralph Bowman Thomas, as recorded in Volume 592, Page 105 of the Real  
20 Property Records of Travis County, Texas, a called 36.724 acre  
21 tract of land as conveyed to Ralph Bowman Thomas, as recorded in  
22 Volume 592, Page 109 of the Real Property Records of Travis County,  
23 Texas, a called 69.996 acre tract of land as conveyed to Ralph  
24 Bowman Thomas as recorded in Volume 12210, page 1756 of the Real  
25 Property Records of Travis County, Texas, a called 31.226 acre  
26 tract of land as conveyed to Ralph Bowman Thomas as recorded in  
27 Clerk's File Number 2008158858 of the Official Public Records of

Travis County, Texas, and a called 10.00 acre tract of land as conveyed to Ralph Bowman Thomas; said 767.08 acre tract of land is more particularly described by metes and bounds as follows with all bearings being referenced to the West line of said 334.08 acre tract of land;

BEGINNING at a point for the Northwest corner of said 334.08 acre tract, also being in the South right-of-way line of Haynie Flat Road, said point also being the Northeast corner of a tract of land conveyed to Jayco Holding LTD. as recorded in Volume 1377, Page 647 of the Deed Records of Burnet County, Texas;

THENCE with the South right-of-way line of said Haynie Flat Road as follows:

- South 66° 18' 10" East, 816.87 feet to a point for corner;
- South 83° 32' 58" East, 527.85 feet to a point for corner;
- North 80° 08' 19" East, 755.01 feet to a point for corner;
- South 73° 26' 33" East, 67.66 feet to a point for corner;
- South 50° 03' 15" East, 750.74 feet to a point for corner;

THENCE South 00° 33' 53" East with the East line of said 334.08 acre tract of land, 950.65 feet to a point for corner;

THENCE South 83° 28' 13" East with the North line of said 9.801 acre tract of land, and the South right-of-way line of said Haynie Flat Road, 1,163.56 feet to a point for corner in the West line of said 44.998 acre tract;

THENCE North 01° 22' 41" West, 225.12 feet to a point for corner in the South line of Haynie Flat Road (recording unknown);

THENCE with said Haynie Flat Road as follows:

- South 83° 43' 22" East, 185.35 feet to a point for corner;

1 - South 69° 05' 13" East, 75.76 feet to a point for corner;  
2 - South 62° 09' 25" East, 141.91 feet to a point for corner;  
3 - South 60° 23' 08" East, 65.71 feet to a point for corner;  
4 - South 52° 23' 59" East, 26.39 feet to a point for corner;  
5 - South 44° 25' 03" East, 128.13 feet to a point for corner;  
6 - South 27° 24' 37" East, 104.89 feet to a point for corner;  
7 - South 16° 42' 01" East, 157.00 feet to a point for corner;  
8 - South 03° 42' 56" East, 10.82 feet to a point for the most  
9 Northerly corner of said 69.996 acre tract of land;

10 - South 35° 04' 47" East, 565.65 feet to a point for corner;  
11 - South 32° 49' 44" East, 262.35 feet to a point for corner;  
12 - South 49° 25' 20" East, 314.18 feet to a point for corner;  
13 - South 53° 20' 30" East, 217.14 feet to a point for corner in  
14 the South right-of-way line of Paleface Ranch Road (recording  
15 unknown);

16 THENCE with the South right-of-way line of said Paleface  
17 Ranch Road as follows:

18 - South 63° 04' 11" East, 257.13 feet to a point for corner;  
19 - South 50° 33' 39" East, 139.55 feet to a point for corner;  
20 - South 49° 24' 14" East, 92.98 feet to a point for corner;  
21 - South 47° 28' 19" East, 154.38 feet to a point for corner;  
22 - South 46° 43' 16" East, 256.53 feet to a point for corner;  
23 - South 37° 00' 56" East, 204.96 feet to a point for corner;  
24 - South 37° 37' 10" East, 543.03 feet to a point for the  
25 Northeast corner of said 210.197 acre tract of land;

26 - South 36° 27' 00" East, 699.03 feet to a point for corner;  
27 - South 15° 05' 09" East, 112.12 feet to a point for corner;

1 - South 04° 45' 26" West, 230.64 feet to a point for corner;  
2 - South 07° 43' 23" West, 840.65 feet to a point for corner;  
3 - South 05° 27' 39" West, 779.99 feet to a point for the  
4 Northeast corner of said 10.00 acre tract of land;

5 THENCE South 05° 17' 38" West, 270.88 feet to a point for  
6 corner;

7 THENCE South 04° 43' 42" West, 34.85 feet to a point for the  
8 most Northerly Southeast corner of said 10.00 acre tract and being a  
9 Northeast corner of that certain called 1.0 acre tract of land as  
10 conveyed to Geneva Hill, et al, in Volume 10450, Page 389 of the  
11 Real Property Records of Travis County, Texas;

12 THENCE with the Northerly South line of said 10.00 acre tract  
13 as follows:

14 - North 71° 03' 46" West, 207.20 feet to a point for corner;  
15 - North 18° 54' 09" East, 182.74 feet to a point for corner;  
16 - North 71° 03' 59" West, 175.03 feet to a point for corner;  
17 - South 18° 53' 12" West, 212.86 feet to a point for the  
18 Southwest corner of said 1.00 acre tract, and in the Northerly line  
19 of said called 31.226 acre tract of land;

20 THENCE South 71° 05' 27" East with the Northerly line of said  
21 31.226 acre tract, 389.79 feet to a point for corner in the west  
22 right-of-way line of said Paleface Ranch Road;

23 THENCE with the West right-of-way line of said Paleface Ranch  
24 Road as follows:

25 - South 16° 14' 51" West, 100.14 feet to a point for corner;  
26 - South 35° 57' 30" West, 106.89 feet to a point for corner;  
27 - South 45° 35' 30" West, 359.24 feet to a point for corner;

1       - South 51° 45' 21" West, 286.13 feet to a point for corner;  
2       - South 62° 05' 35" West, 697.66 feet to a point for corner;  
3       - South 43° 36' 15" West, 131.60 feet to a point for corner;  
4       - South 29° 22' 21" West, 133.33 feet to a point for the  
5 Southeasterly corner of said 31.226 acre tract and the most  
6 Southerly Southeast corner of that certain called 26.627 acre tract  
7 of land as conveyed to Michael L. Bay-Borelli, and Debra E.  
8 Bay-Borelli by Deed recorded in Document Number 2002208295 of the  
9 Official Public Records of Travis County, Texas;

10       THENCE with the Southwesterly line of said 31.226 acre tract  
11 as follows:

12       - North 52° 41' 24" West, 641.65 feet to a point for corner;  
13       - North 34° 11' 39" East, 128.26 feet to a point for corner;  
14       - North 25° 32' 57" West, 610.09 feet to a point for corner;  
15       - North 14° 28' 58" East, 114.85 feet to a point for the most  
16 North Westerly corner of said 31.226 acre tract, and in the South  
17 line of said 210.197 acre tract;

18       THENCE North 75° 29' 01" West, 727.40 feet to a point for  
19 corner;

20       THENCE North 49° 35' 26" West, 283.72 feet to a point for  
21 corner;

22       THENCE North 50° 03' 08" West, 523.15 feet to a point for the  
23 Southwest corner of said 210.197 acre tract, and the Southeast  
24 corner of said 36.724 acre tract of land corner, also being the  
25 Southwesterly corner of that certain called tract of land conveyed  
26 to State of Texas for Permanent School Funds in Volume 1397, Page  
27 990 of the Deed Records of Burnet County, Texas;

1           THENCE North 70° 34' 29" West, 743.11 feet to a point for  
2 corner in the West line of said State of Texas tract of land;

3           THENCE North 00° 05' 34" West, 980.07 feet to a point for the  
4 Southeast corner of said 334.08 acre tract;

5           THENCE West, 2,310.76 feet to a point for the Northwest  
6 corner of said State of Texas tract, and the Northeast corner of a  
7 tract of land as conveyed to Betty Ann Hollingsworth Herbert in  
8 Volume 11690, Page 447 of the Deed Records of Travis County, Texas;

9           THENCE North 89° 47' 18" West with the North line of said  
10 Hebert tract, 976.81 feet to a point for the Southeast corner of  
11 said Jayco Holding LTD tract, and the Southeast corner of said  
12 334.08 tract;

13           THENCE North 06° 48' 08" East with the West line of said 334.08  
14 acre tract, 5,223.87 feet to the POINT OF BEGINNING; containing  
15 767.08 acres of land, more or less; SAVE AND EXCEPT, and excluding,  
16 any portion of this tract lying within the limits of Burnet County,  
17 Texas; with the intent being that this tract lies wholly within the  
18 limits of Travis County, Texas.

19           TRACT II - 482.50 ACRES

20           Being a 482.50 acre tract of land out of and a portion of the  
21 J. F. Cole Survey No. 303, Abstract 185, the V. L. Labenski Survey  
22 No. 301, the John Moat Survey No. 412, the R. R. Germany Survey No.  
23 304, the John Ewers Survey No. 410, and the John Ewers Survey No.  
24 308 in Travis County, Texas; said 482.50 acre tract also being out  
25 of and a portion of a called 15.241 acre tract of land as conveyed to  
26 Ralph Bowman Thomas as recorded in Volume 12210, page 1756 of the  
27 Real Property Records of Travis County, Texas, a called 287.84 acre

1 tract of land as conveyed to Ralph Bowman Thomas in Volume 12029,  
2 Page 0628 of the Real Property Records of Travis County, Texas, a  
3 called 7.01 acre tract of land as conveyed to Ralph Bowman Thomas as  
4 recorded in Volume 12142, Page 3244 of the Real Property Records of  
5 Travis County, Texas, a 170.94 acre tract of land as conveyed to  
6 Ralph Bowman Thomas as recorded in Volume 12122, Page 2518 of the  
7 Real Property Records of Travis County, Texas, and a called 1.781  
8 acre tract of land as conveyed to Ralph Bowman Thomas as recorded in  
9 Volume 12341, Page 0433 of the Real Property Records of Travis  
10 County, Texas; said 482.50 acre tract of land is more particularly  
11 described by metes and bounds as follows with all bearings being  
12 referenced to the West line of said 287.84 acre tract of land;

13 BEGINNING at a point for the Southwest corner of said 15.241  
14 acre tract, also being in the South right-of-way line of Haynie Flat  
15 Road (recording unknown), and the North right-of-way line of  
16 Paleface Ranch Road (recording unknown);

17 THENCE with said Haynie Flat Road as follows:

- 18 - North 30° 23' 08" East, 347.80 feet to a point for corner;  
19 - North 31° 39' 24" East, 108.86 feet to a point for corner;  
20 - North 40° 00' 00" East, 3,271.92 feet to a point for corner;  
21 - South 49° 40' 37" East, 3,050.44 feet to a point for corner

22 at the beginning of a curve to the left;

23 - along the arc of said curve to the left, having a chord of  
24 South 74° 06' 43" East, 219.54 feet, a radius of 517.92 feet, a  
25 central angle of 24° 28' 21", a distance of 221.22 feet to a point  
26 for corner;

27 - continuing along the arc of said curve to the left, having a

1 chord of North  $80^{\circ} 57' 51''$  East, 270.58 feet, a radius of 597.67  
2 feet, a central angle of  $26^{\circ} 09' 59''$ , a distance of 272.95 feet to a  
3 point for corner;

4 - North  $67^{\circ} 47' 51''$  East, 294.01 feet to a point for corner;

5 - North  $64^{\circ} 20' 52''$  East, 474.60 feet to a point for corner at  
6 the beginning of a curve to the left;

7 - along the arc of said curve to the left, having a chord of  
8 North  $51^{\circ} 32' 52''$  East, 259.41 feet, a radius of 585.45 feet, a  
9 central angle of  $25^{\circ} 35' 59''$ , a distance of 261.58 feet to a point  
10 for corner;

11 - North  $31^{\circ} 20' 51''$  East, 5.66 feet to a point for corner;

12 - North  $45^{\circ} 18' 55''$  East, 147.73 feet to a point for corner at  
13 the beginning of a curve to the right;

14 - along the arc of said curve to the right, having a chord of  
15 North  $75^{\circ} 39' 23''$  East, 483.14 feet, a radius of 490.87 feet, a  
16 central angle of  $58^{\circ} 57' 41''$ , a distance of 505.14 feet to a point  
17 for corner;

18 - South  $74^{\circ} 41' 05''$  East, 73.93 feet to a point for corner;

19 - South  $65^{\circ} 02' 26''$  East, 242.87 feet to a point for corner;

20 - South  $67^{\circ} 46' 10''$  East, 632.84 feet to a point for corner;

21 - South  $68^{\circ} 58' 09''$  East, 586.34 feet to a point for corner;

22 - South  $63^{\circ} 23' 07''$  East, 234.88 feet to a point for corner at  
23 the beginning of a curve to the right;

24 - along the arc of said curve to the right, having a chord of  
25 South  $54^{\circ} 05' 07''$  East, 196.29 feet, a radius of 607.30 feet, a  
26 central angle of  $18^{\circ} 36' 00''$ , a distance of 197.15 feet to a point  
27 for corner;

1 - continuing along the arc of said curve to the right, having  
2 a chord of South 32° 47' 07" East, 384.80 feet, a radius of 925.40  
3 feet, a central angle of 24° 00' 00", a distance of 387.63 feet to a  
4 point for corner;

5 - South 20° 47' 07" East, 321.96 feet to a point for corner at  
6 the beginning of a curve to the left;

7 - along the arc of said curve to the left, having a chord of  
8 South 35° 49' 07" East, 313.18 feet, a radius of 603.70 feet, a  
9 central angle of 30° 04' 00", a distance of 316.80 feet to a point  
10 for corner;

11 - South 50° 51' 07" East, 1,129.28 feet to a point for corner  
12 at the beginning of a curve to the right;

13 - along the arc of said curve to the right, having a chord of  
14 South 37° 25' 07" East, 429.97 feet, a radius of 925.40 feet, a  
15 central angle of 26° 52' 00", a distance of 433.93 feet to a point  
16 for corner;

17 - South 23° 59' 07" East, 53.87 feet to a point for the  
18 Northeast corner of said 170.94 acre tract;

19 THENCE South 38° 52' 11" West with the East line of said 170.94  
20 acre tract, 1,446.00 feet to a point for the Southeast corner of  
21 said 170.94 acre tract;

22 THENCE with the Southerly line of said 170.94 acre tract as  
23 follows:

24 - North 44° 06' 59" West, 301.32 feet to a point for corner;

25 - North 32° 57' 59" West, 261.60 feet to a point for corner;

26 - North 27° 31' 59" West, 58.00 feet to a point for corner;

27 - North 60° 07' 59" West, 144.10 feet to a point for corner;

- 1 - North 47° 10' 59" West, 343.10 feet to a point for corner;
- 2 - North 42° 40' 59" West, 113.70 feet to a point for corner;
- 3 - North 38° 08' 59" West, 191.80 feet to a point for corner;
- 4 - North 58° 03' 59" West, 170.20 feet to a point for corner;
- 5 - North 47° 44' 59" West, 153.30 feet to a point for corner;
- 6 - North 36° 27' 59" West, 111.00 feet to a point for corner;
- 7 - North 26° 08' 59" West, 65.60 feet to a point for corner;
- 8 - North 42° 37' 59" West, 153.30 feet to a point for corner;
- 9 - North 60° 44' 59" West, 103.40 feet to a point for corner;
- 10 - North 49° 33' 59" West, 126.50 feet to a point for corner;
- 11 - North 35° 31' 59" West, 103.20 feet to a point for corner;
- 12 - North 08° 01' 59" West, 33.20 feet to a point for corner;
- 13 - North 00° 54' 01" East, 65.60 feet to a point for corner;
- 14 - North 32° 16' 01" East, 177.40 feet to a point for corner;
- 15 - North 43° 23' 01" East, 182.90 feet to a point for corner;
- 16 - North 82° 08' 59" West, 90.50 feet to a point for corner;
- 17 - North 49° 46' 59" West, 75.30 feet to a point for corner;
- 18 - North 34° 37' 59" West, 144.50 feet to a point for corner;
- 19 - South 23° 17' 01" West, 88.20 feet to a point for corner;
- 20 - South 08° 53' 01" West, 133.80 feet to a point for corner;
- 21 - South 31° 03' 01" West, 65.90 feet to a point for corner;
- 22 - South 32° 52' 01" West, 183.90 feet to a point for corner;
- 23 - South 53° 24' 01" West, 24.80 feet to a point for corner;
- 24 - South 82° 27' 01" West, 44.60 feet to a point for corner;
- 25 - North 73° 14' 59" West, 185.70 feet to a point for corner;
- 26 - North 66° 44' 59" West, 468.00 feet to a point for corner;
- 27 - North 47° 24' 59" West, 277.70 feet to a point for corner;

1 - North 73° 00' 59" West, 462.10 feet to a point for corner;  
2 - North 79° 19' 59" West, 350.00 feet to a point for corner;  
3 - North 54° 05' 59" West, 40.00 feet to a point for corner;  
4 - North 09° 16' 59" West, 54.10 feet to a point for corner;  
5 - North 08° 39' 01" East, 168.60 feet to a point for corner;  
6 - North 11° 19' 59" West, 152.30 feet to a point for corner;  
7 - South 21° 13' 01" West, 134.40 feet to a point for corner;  
8 - South 28° 29' 01" West, 95.80 feet to a point for corner;  
9 - South 23° 49' 41" West, 99.63 feet to a point for the  
10 Southwesterly corner of said 170.94 acre tract, said point also  
11 being in the North line of said 287.84 acre tract;

12 THENCE South 48° 56' 38" East with the North line of said  
13 287.84 acre tract, 327.54 feet to a point on the North bank of the  
14 Pedernales River, now inundated by the waters of Lake Travis;

15 THENCE with the North and West bank of said Pedernales River  
16 as follows:

17 - South 64° 00' 00" West, 232.43 feet to a point for corner;  
18 - South 32° 00' 00" West, 202.00 feet to a point for corner;  
19 - South 08° 00' 00" West, 455.00 feet to a point for corner;  
20 - South 10° 00' 00" East, 400.00 feet to a point for corner;  
21 - South 19° 00' 00" East, 408.00 feet to a point for corner;  
22 - South 36° 11' 04" East, 509.92 feet to a point for corner;  
23 - South 22° 08' 43" East, 461.36 feet to a point for corner in  
24 the centerline of a ravine now inundated by the waters of Lake  
25 Travis;

26 THENCE with the centerline of said ravine as follows:

27 - South 69° 39' 01" West, 625.00 feet to a point for corner;

1 - North 75° 35' 59" West, 440.00 feet to a point for corner;  
2 - North 65° 50' 59" West, 620.00 feet to a point for corner;  
3 - North 14° 35' 59" West, 440.00 feet to a point for corner;  
4 - North 16° 17' 01" East, 501.00 feet to a point for corner;  
5 - North 53° 21' 31" West, 176.92 feet to a point for corner;  
6 - North 44° 08' 58" West, 240.27 feet to a point for corner;  
7 - North 57° 26' 22" West, 119.19 feet to a point for corner;  
8 - North 51° 05' 53" West, 206.28 feet to a point for corner;  
9 - North 75° 14' 25" West, 112.08 feet to a point for corner;  
10 - North 13° 16' 01" East, 25.00 feet to a point for corner in  
11 the South line of said 287.84 acre tract;

12 THENCE with the South line of said 287.84 acre tract as  
13 follows:

14 - North 76° 43' 59" West, 10.45 feet to a point for corner;  
15 - North 68° 03' 09" West, 164.71 feet to a point for corner;  
16 - North 65° 55' 57" West, 480.75 feet to a point for corner;  
17 - North 66° 01' 19" West, 1,163.01 feet to a point for corner;  
18 - South 82° 57' 07" West, 16.87 feet to a point for corner;  
19 - North 31° 52' 00" West, 15.44 feet to a point for corner;  
20 - South 71° 50' 15" West, 1,009.06 feet to a point for the  
21 Southwesterly corner of said 287.84 acre tract, and the Northeast  
22 corner of said 15.241 acre tract;

23 THENCE South 00° 16' 35" East, 260.71 feet to a point for  
24 corner;

25 THENCE South 65° 57' 27" East, 110.68 feet to a point for  
26 corner;

27 THENCE South 67° 01' 21" East, 32.47 feet to a point for

1 corner;

2       THENCE South 29° 11' 37" West, 55.50 feet to a point for  
3 corner;

4       THENCE South 39° 16' 53" West, 11.52 feet to a point for corner  
5 for a Northeasterly corner of said 1.781 acre tract;

6       THENCE with the East line of said 1.781 acre tract as follows:

- 7       - South 30° 02' 03" East, 30.83 feet to a point for corner;  
8       - South 06° 24' 39" East, 80.85 feet to a point for corner;  
9       - South 20° 44' 41" West, 57.13 feet to a point for corner;  
10      - South 38° 38' 12" West, 58.24 feet to a point for corner;  
11      - South 52° 29' 45" West, 108.56 feet to a point for corner;  
12      - South 55° 46' 45" West, 181.13 feet to a point for corner in  
13 the North line of said Paleface Ranch Road;

14      THENCE with the North line of said Paleface Ranch Road as  
15 follows:

- 16      - North 37° 34' 31" West, 128.95 feet to a point for corner;  
17      - North 37° 26' 17" West, 62.78 feet to a point for the  
18 Southwest corner of said 1.781 acre tract, and the Southeast corner  
19 of said 15.241 acre tract;  
20      - North 37° 26' 17" West, 369.15 feet to a point for corner;  
21      - North 40° 03' 08" West, 63.66 feet to a point for corner;  
22      - North 18° 09' 23" West, 14.01 feet to a point for corner;  
23      - North 43° 54' 03" West, 15.90 feet to a point for corner;  
24      - North 68° 55' 02" West, 8.93 feet to a point for corner;  
25      - North 40° 57' 50" West, 130.58 feet to a point for corner;  
26      - North 45° 28' 49" West, 410.55 feet to a point for corner;  
27      - North 52° 38' 51" West, 242.60 feet to the POINT OF

1 BEGINNING; containing 482.50 acres of land, more or less.

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

9         (b) The governor, one of the required recipients, has  
10 submitted the notice and Act to the Texas Commission on  
11 Environmental Quality.

12         (c) The Texas Commission on Environmental Quality has filed  
13 its recommendations relating to this Act with the governor,  
14 lieutenant governor, and speaker of the house of representatives  
15 within the required time.

16         (d) The general law relating to consent by political  
17 subdivisions to the creation of districts with conservation,  
18 reclamation, and road powers and the inclusion of land in those  
19 districts has been complied with.

20         (e) All requirements of the constitution and laws of this  
21 state and the rules and procedures of the legislature with respect  
22 to the notice, introduction, and passage of this Act have been  
23 fulfilled and accomplished.

24         SECTION 4. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

C.S.H.B. No. 4797

1 Act takes effect September 1, 2009.