

1-1 By: Hegar S.B. No. 1241  
1-2 (In the Senate - Filed March 2, 2009; March 17, 2009, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 April 14, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 11, Nays 0; April 14, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1241 By: Hegar

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

1-10 relating to the creation of the Fort Bend County Water Control and  
1-11 Improvement District No. 10; providing authority to impose a tax  
1-12 and issue bonds; granting a limited power of eminent domain.

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

1-14 SECTION 1. Subtitle I, Title 6, Special District Local Laws  
1-15 Code, is amended by adding Chapter 9034 to read as follows:

1-16 CHAPTER 9034. FORT BEND COUNTY WATER CONTROL AND IMPROVEMENT  
1-17 DISTRICT NO. 10

1-18 SUBCHAPTER A. GENERAL PROVISIONS

1-19 Sec. 9034.001. DEFINITIONS. In this chapter:

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

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

1-22 (3) "District" means the Fort Bend County Water  
1-23 Control and Improvement District No. 10.

1-24 Sec. 9034.002. NATURE OF DISTRICT. The district is a water  
1-25 control and improvement district created under Section 59, Article  
1-26 XVI, Texas Constitution.

1-27 Sec. 9034.003. CONFIRMATION AND DIRECTORS' ELECTION  
1-28 REQUIRED. The temporary directors shall hold an election to  
1-29 confirm the creation of the district and to elect five permanent  
1-30 directors as provided by Section 49.102, Water Code.

1-31 Sec. 9034.004. CONSENT OF MUNICIPALITY REQUIRED. The  
1-32 temporary directors may not hold an election under Section 9034.003  
1-33 until each municipality in whose corporate limits or  
1-34 extraterritorial jurisdiction the district is located has  
1-35 consented by ordinance or resolution to the creation of the  
1-36 district and to the inclusion of land in the district.

1-37 Sec. 9034.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.  
1-38 (a) The district is created to serve a public purpose and benefit.

1-39 (b) The district is created to accomplish the purposes of:

1-40 (1) a water control and improvement district as  
1-41 provided by general law and Section 59, Article XVI, Texas  
1-42 Constitution; and

1-43 (2) Section 52, Article III, Texas Constitution, that  
1-44 relate to the construction, acquisition, improvement, operation,  
1-45 or maintenance of macadamized, graveled, or paved roads, or  
1-46 improvements, including storm drainage, in aid of those roads.

1-47 Sec. 9034.006. INITIAL DISTRICT TERRITORY. (a) The  
1-48 district is initially composed of the territory described by  
1-49 Section 2 of the Act creating this chapter.

1-50 (b) The boundaries and field notes contained in Section 2 of  
1-51 the Act creating this chapter form a closure. A mistake made in the  
1-52 field notes or in copying the field notes in the legislative process  
1-53 does not affect the district's:

1-54 (1) organization, existence, or validity;

1-55 (2) right to issue any type of bond for the purposes  
1-56 for which the district is created or to pay the principal of and  
1-57 interest on a bond;

1-58 (3) right to impose a tax; or

1-59 (4) legality or operation.

1-60 [Sections 9034.007-9034.050 reserved for expansion]

1-61 SUBCHAPTER B. BOARD OF DIRECTORS

1-62 Sec. 9034.051. GOVERNING BODY; TERMS. (a) The district is  
1-63 governed by a board of five elected directors.

2-1 (b) Except as provided by Section 9034.052, directors serve  
2-2 staggered four-year terms.

2-3 Sec. 9034.052. TEMPORARY DIRECTORS. (a) The temporary  
2-4 board consists of:

- 2-5 (1) Jay Henry;
- 2-6 (2) Mark Schindler;
- 2-7 (3) David Vercellino;
- 2-8 (4) Chris Sitka; and
- 2-9 (5) Chrystal Seymour.

2-10 (b) Temporary directors serve until the earlier of:

- 2-11 (1) the date permanent directors are elected under
- 2-12 Section 9034.003; or
- 2-13 (2) the fourth anniversary of the effective date of
- 2-14 the Act creating this chapter.

2-15 (c) If permanent directors have not been elected under  
2-16 Section 9034.003 and the terms of the temporary directors have  
2-17 expired, successor temporary directors shall be appointed or  
2-18 reappointed as provided by Subsection (d) to serve terms that  
2-19 expire on the earlier of:

- 2-20 (1) the date permanent directors are elected under
- 2-21 Section 9034.003; or
- 2-22 (2) the fourth anniversary of the date of the
- 2-23 appointment or reappointment.

2-24 (d) If Subsection (c) applies, the owner or owners of a  
2-25 majority of the assessed value of the real property in the district  
2-26 may submit a petition to the Texas Commission on Environmental  
2-27 Quality requesting that the commission appoint as successor  
2-28 temporary directors the five persons named in the petition. The  
2-29 commission shall appoint as successor temporary directors the five  
2-30 persons named in the petition.

2-31 [Sections 9034.053-9034.100 reserved for expansion]

2-32 SUBCHAPTER C. POWERS AND DUTIES

2-33 Sec. 9034.101. GENERAL POWERS AND DUTIES. The district has  
2-34 the powers and duties necessary to accomplish the purposes for  
2-35 which the district is created.

2-36 Sec. 9034.102. WATER CONTROL AND IMPROVEMENT DISTRICT  
2-37 POWERS AND DUTIES. The district has the powers and duties provided  
2-38 by the general law of this state, including Chapters 49 and 51,  
2-39 Water Code, applicable to water control and improvement districts  
2-40 created under Section 59, Article XVI, Texas Constitution.

2-41 Sec. 9034.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
2-42 52, Article III, Texas Constitution, the district may design,  
2-43 acquire, construct, finance, issue bonds for, improve, operate,  
2-44 maintain, and convey to this state, a county, or a municipality for  
2-45 operation and maintenance macadamized, graveled, or paved roads, or  
2-46 improvements, including storm drainage, in aid of those roads.

2-47 Sec. 9034.104. ROAD STANDARDS AND REQUIREMENTS. (a) A  
2-48 road project must meet all applicable construction standards,  
2-49 zoning and subdivision requirements, and regulations of each  
2-50 municipality in whose corporate limits or extraterritorial  
2-51 jurisdiction the road project is located.

2-52 (b) If a road project is not located in the corporate limits  
2-53 or extraterritorial jurisdiction of a municipality, the road  
2-54 project must meet all applicable construction standards,  
2-55 subdivision requirements, and regulations of each county in which  
2-56 the road project is located.

2-57 (c) If the state will maintain and operate the road, the  
2-58 Texas Transportation Commission must approve the plans and  
2-59 specifications of the road project.

2-60 Sec. 9034.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
2-61 OR RESOLUTION. The district shall comply with all applicable  
2-62 requirements of any ordinance or resolution that is adopted under  
2-63 Section 42.042, Local Government Code, and that consents to the  
2-64 creation of the district or to the inclusion of land in the  
2-65 district.

2-66 Sec. 9034.106. LIMITATION ON USE OF EMINENT DOMAIN. The  
2-67 district may not exercise the power of eminent domain outside the  
2-68 district to acquire a site or easement for:

- 2-69 (1) a road project authorized by Section 9034.103; or

3-1 (2) a recreational facility as defined by Section  
3-2 49.462, Water Code.

3-3 Sec. 9034.107. FIRE DEPARTMENTS. (a) The district may  
3-4 contract with the City of Richmond to perform firefighting services  
3-5 in the district on the same terms that the municipality provides  
3-6 firefighting services in the extraterritorial jurisdiction of the  
3-7 municipality. The district, with voter approval, may issue bonds  
3-8 payable from ad valorem taxes to pay for capital costs required  
3-9 under the contract, including:

3-10 (1) the construction and purchase of facilities, land,  
3-11 and equipment; and

3-12 (2) the provision of adequate water supply.

3-13 (b) Notwithstanding Sections 49.351(g), (h), and (i), Water  
3-14 Code, if the district contracts with the City of Richmond to provide  
3-15 firefighting services in the district, the district is not required  
3-16 to submit a fire plan to the Texas Commission on Environmental  
3-17 Quality for approval.

3-18 [Sections 9034.108-9034.150 reserved for expansion]

3-19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-20 Sec. 9034.151. ELECTIONS REGARDING TAXES OR BONDS.

3-21 (a) The district may issue, without an election, bonds and other  
3-22 obligations secured by:

3-23 (1) revenue other than ad valorem taxes; or

3-24 (2) contract payments described by Section 9034.153.

3-25 (b) The district must hold an election in the manner  
3-26 provided by Chapters 49 and 51, Water Code, to obtain voter approval  
3-27 before the district may impose an ad valorem tax or issue bonds  
3-28 payable from ad valorem taxes.

3-29 (c) The district may not issue bonds payable from ad valorem  
3-30 taxes to finance a road project unless the issuance is approved by a  
3-31 vote of a two-thirds majority of the district voters voting at an  
3-32 election held for that purpose.

3-33 Sec. 9034.152. OPERATION AND MAINTENANCE TAX. (a) If  
3-34 authorized at an election held under Section 9034.151, the district  
3-35 may impose an operation and maintenance tax on taxable property in  
3-36 the district in accordance with Section 49.107, Water Code.

3-37 (b) The board shall determine the tax rate. The rate may not  
3-38 exceed the rate approved at the election.

3-39 Sec. 9034.153. CONTRACT TAXES. (a) In accordance with  
3-40 Section 49.108, Water Code, the district may impose a tax other than  
3-41 an operation and maintenance tax and use the revenue derived from  
3-42 the tax to make payments under a contract after the provisions of  
3-43 the contract have been approved by a majority of the district voters  
3-44 voting at an election held for that purpose.

3-45 (b) A contract approved by the district voters may contain a  
3-46 provision stating that the contract may be modified or amended by  
3-47 the board without further voter approval.

3-48 [Sections 9034.154-9034.200 reserved for expansion]

3-49 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-50 Sec. 9034.201. AUTHORITY TO ISSUE BONDS AND OTHER  
3-51 OBLIGATIONS. The district may issue bonds or other obligations  
3-52 payable wholly or partly from ad valorem taxes, impact fees,  
3-53 revenue, contract payments, grants, or other district money, or any  
3-54 combination of those sources, to pay for any authorized district  
3-55 purpose.

3-56 Sec. 9034.202. TAXES FOR BONDS. At the time the district  
3-57 issues bonds payable wholly or partly from ad valorem taxes, the  
3-58 board shall provide for the annual imposition of a continuing  
3-59 direct ad valorem tax, without limit as to rate or amount, while all  
3-60 or part of the bonds are outstanding as required and in the manner  
3-61 provided by Section 51.433, Water Code.

3-62 Sec. 9034.203. BONDS FOR ROAD PROJECTS. At the time of  
3-63 issuance, the total principal amount of bonds or other obligations  
3-64 issued or incurred to finance road projects and payable from ad  
3-65 valorem taxes may not exceed one-fourth of the assessed value of the  
3-66 real property in the district.

3-67 SECTION 2. The Fort Bend County Water Control and  
3-68 Improvement District No. 10 initially includes all the territory  
3-69 contained in the following area:

4-1 TRACT 1

4-2 BEING a 150.22 acre tract of land situated in the Knight &  
 4-3 White League, Abstract Number 46, Fort Bend County, Texas and being  
 4-4 all of the following tracts of land; a called 42.00 acre tract of  
 4-5 land described in an instrument filed for record under Fort Bend  
 4-6 County Clerk's File Number (F.B.C.C.F. No.) 2007072919, a called  
 4-7 4.248 acre tract of land described in an instrument filed for record  
 4-8 under F.B.C.C.F. No. 2007151784, a called 103.97 acre tract  
 4-9 described and recorded under F.B.C.C.F. No. 2007151785, said 150.22  
 4-10 acre tract of land being more particularly described by metes and  
 4-11 bounds as follows:

4-12 Bearing orientation is based on the Texas State Plane  
 4-13 Coordinate System, South Central Zone, NAD83.

4-14 BEGINNING at a 1-inch iron pipe (disturbed) found for the  
 4-15 northeast corner of said 42.00 acre tract and being in the south  
 4-16 right-of-way line of Farm-to-Market Road 359 (100-foot width), same  
 4-17 also being the northwest corner of Landscape Reserve "B" of Grand  
 4-18 River, a subdivision plat filed for record under Slide Number 1650A  
 4-19 of the Fort Bend County Plat Records;

4-20 THENCE S 02°38'36" E, along the east line of said 42.00 acre  
 4-21 tract, the west line of said Landscape Reserve "B" and a west line  
 4-22 of Block 5 of said Grand River, at a distance of 520.70 feet pass a  
 4-23 5/8-inch iron rod found for the southwest corner of said Landscape  
 4-24 Reserve "B" and the northwest corner of Lot 1, Block 5 of said Grand  
 4-25 River, at a distance of 1,127.70 feet pass a 5/8-inch iron rod found  
 4-26 for the southwest corner of said Lot 1, Block 5 and the northwest  
 4-27 corner of Lot 2, Block 5 of said Grand River and continuing for a  
 4-28 total distance of 1,520.14 feet to a 1-inch iron pipe with a cap and  
 4-29 tack found for the southeast corner of said 42.00 acre tract, same  
 4-30 being the northeast corner of Lot 10, Block 5 of said Grand River;

4-31 THENCE S 87°50'53" W, along the south line of said 42.00 acre  
 4-32 tract and a north line of said Block 5 of said Grand River, at a  
 4-33 distance of 153.02 feet pass a 5/8-inch iron rod found for the  
 4-34 northwest corner of said Lot 10, Block 5 and the northeast corner of  
 4-35 Lot 11, Block 5 of said Grand River, at a distance of 722.00 feet  
 4-36 pass a 5/8-inch iron rod found for the northwest corner of said Lot  
 4-37 11, Block and the northeast corner of Lot 23, Block 5 of said Grand  
 4-38 River and continuing for a total distance of 1,288.35 feet to a  
 4-39 1-inch iron pipe with a cap and tack found for the southwest corner  
 4-40 said called 42.00 acre tract, same being the southeast corner of Lot  
 4-41 24, Block 5 and the northwest corner of Lot 23, Block 5 of said Grand  
 4-42 River, same also being in the east right-of-way line of Winner's  
 4-43 Circle (width varies) as shown on the plat of said Grand River;

4-44 THENCE N 02°33'25" W, a distance of 1,011.30 feet along a west  
 4-45 line of said 42.00 and the east line of Lot 24, Block 5 of said Grand  
 4-46 River to a 1-inch iron pipe with a cap and tack found for a northwest  
 4-47 corner of said 42.00 acre tract, the northeast corner of said Lot  
 4-48 24, Block 5, same also being in the south line of said 4.248 acre  
 4-49 tract of land;

4-50 THENCE S 89°18'56" W, a distance of 397.63 feet along the  
 4-51 south line of said 4.248 acre tract and a north line of said 42.00  
 4-52 acre tract and the north line of said Lot 24, Block 5 to a 1 1/4-inch  
 4-53 iron pipe found for the northwest corner of said Lot 24, Block 5;

4-54 THENCE S 02°33'25" E, along the east line of said 103.97 acre  
 4-55 tract and a west line of Block 5 of said Grand River, at a distance  
 4-56 of 861.00 feet pass through a 5/8-inch iron rod found for the  
 4-57 southwest corner of said Lot 24, Block 5 and the northwest corner of  
 4-58 Lot 25, Block 5 of said Grand River, at a distance of 1,285.05 feet  
 4-59 pass through a 5/8-inch iron rod found for the southwest corner of  
 4-60 said Lot 25 and the northwest corner of Lot 26, Block 5 of said Grand  
 4-61 River and continuing for a total distance of 1,596.28 feet to a  
 4-62 1-inch iron pipe found for the southeast corner of said 103.97 acre  
 4-63 tract, same being the southwest corner of said Lot 26, same also  
 4-64 being in the north line of Lot 27, Block 5 of said Grand River;

4-65 THENCE S 89°10'00" W, along the south line of said 103.97 acre  
 4-66 tract and a north line of said Block 5, at a distance of 839.79 feet  
 4-67 pass through a 5/8-inch iron rod found for the northwest corner of  
 4-68 Lot 32, Block 5 and the northeast corner of Lot 33, Block 5 of said  
 4-69 Grand River, at a distance of 1,099.79 feet pass through a 5/8-inch

5-1 iron rod found for the northwest corner of said Lot 33 and the  
 5-2 northeast corner of Lot 34, Block 5 of said Grand River, at a  
 5-3 distance of 2,014.78 feet pass a 5/8-inch iron rod found for the  
 5-4 northwest corner of said Lot 34, same being in the east right-of-way  
 5-5 line of McCrary Road (width varies), same also being the northeast  
 5-6 corner of a 35-foot wide roadway dedication as shown on the plat of  
 5-7 said Grand River and continuing for a total distance of 2,049.79  
 5-8 feet to a 5/8-inch iron rod with a cap stamped "Brown & Gay" found  
 5-9 for the southwest corner of said called 103.97 acre tract, same  
 5-10 being in the east line of McCrary Road (as occupied, width varies);

5-11 THENCE N 02°08'00" W, a distance of 2,134.43 feet along the  
 5-12 west line of said 103.97 acre tract and the east line of said  
 5-13 McCrary Road (as occupied, width varies) to a 5/8-inch iron rod with  
 5-14 a cap stamped "Brown & Gay" found for the northwest corner of said  
 5-15 called 103.97 acre tract, same being the intersection of the east  
 5-16 right-of-way line of said McCrary Road with the south right-of-way  
 5-17 line of Farm-to-Market Road 359 (100-foot width) as described in  
 5-18 the following instruments of record: Volume 127, Page 521, Volume  
 5-19 130, Page 20 and Volume 130, Page 178, all of the Fort Bend County  
 5-20 Deed Records;

5-21 THENCE N 89°13'09" E, a distance of 2,703.55 feet along the  
 5-22 north line of said 103.97 acre tract and said 4.248 acre tract,  
 5-23 being the south right-of-way line of said Farm-to-Market Road 359  
 5-24 to a 3/4-inch iron pipe found for the northeast corner of said 4.248  
 5-25 acre tract and the northwest corner of said 42.00 acre tract;

5-26 THENCE N 89°05'34" E, a distance of 1,014.69 feet continuing  
 5-27 along said south right-of-way line and the north line of said 42.00  
 5-28 acre tract to the POINT OF BEGINNING and containing 150.22 acres of  
 5-29 land.

5-30 TRACT 2

5-31 BEING a 1.628 acre tract of land situated in the Randall Jones  
 5-32 Survey, Abstract Number 42, Fort Bend County, Texas and being all of  
 5-33 a called 1.4364 acre tract of land described in an instrument filed  
 5-34 for record under Fort Bend County Clerk's File Number (F.B.C.C.F.  
 5-35 No.) 2008028142 and a called 0.1928 acre tract described and  
 5-36 recorded under F.B.C.C.F. No. 2008028143, said 1.628 acre tract of  
 5-37 land being more particularly described by metes and bounds as  
 5-38 follows:

5-39 Bearing orientation is based on the Texas State Plane  
 5-40 Coordinate System, South Central Zone, NAD83.

5-41 BEGINNING at the northeast corner of said 1.4364 acre tract  
 5-42 and the northwest corner of a called 1.71 acre tract described and  
 5-43 recorded under F.B.C.C.F. No. 2003174431 and being in the south  
 5-44 right-of-way line of Farm-to-Market Road 359 (100-foot width),

5-45 THENCE S 02°49'28" E, a distance of 148.50 feet along the east  
 5-46 line of said 1.4364 acre tract and the west line of said 1.71 acre  
 5-47 tract to the southeast corner of the herein described tract and  
 5-48 being in the north line of Lot 4, Block 1 of Grand River, a  
 5-49 subdivision of record as shown on the plat filed for record under  
 5-50 Slide Number 1650A of the Fort Bend County Plat Records

5-51 THENCE S 87°31'27" W, a distance of 458.09 feet along the  
 5-52 south line of said 1.4364 acre tract and a north line of Block 1 of  
 5-53 said Grand River to the southwest corner of the herein described  
 5-54 tract;

5-55 THENCE N 02°28'11" W, a distance of 161.51 feet along the west  
 5-56 line of said 0.1928 acre tract and the east line of Reserve "A" of  
 5-57 said Grand River to the northwest corner of the herein described  
 5-58 tract and being in the south right-of-way line of said  
 5-59 Farm-to-Market Road 359;

5-60 THENCE N 89°09'17" E, a distance of 457.36 feet along said  
 5-61 south right-of-way line to the POINT OF BEGINNING and containing  
 5-62 1.628 acres of land.

5-63 TRACT 3

5-64 BEING a 2.813 acre tract of land situated in the Randall Jones  
 5-65 Survey, Abstract Number 42, Fort Bend County, Texas and being all of  
 5-66 a called 2.6207 acre tract of land described in an instrument filed  
 5-67 for record under Fort Bend County Clerk's File Number (F.B.C.C.F.  
 5-68 No.) 2008028142 and a called 0.1937 acre tract described and  
 5-69 recorded under F.B.C.C.F. No. 2008028143, said 2.813 acre tract of

6-1 land being more particularly described by metes and bounds as  
6-2 follows:

6-3 Bearing orientation is based on the Texas State Plane  
6-4 Coordinate System, South Central Zone, NAD83.

6-5 BEGINNING at the southeast corner of said 2.6207 acre tract  
6-6 and the southwest corner of a called 1.977 acre tract described and  
6-7 recorded under F.B.C.C.F. No. 8521110 and being in the north  
6-8 right-of-way line of Farm-to-Market Road 359 (100-foot width),

6-9 THENCE S 89°09'17" W, a distance of 268.02 feet along the  
6-10 north right-of-way line of said Farm-to-Market Road 359 to the  
6-11 southwest corner of the herein described tract and the southeast  
6-12 corner of a called East 1/2 of 5.57 acre tract described and  
6-13 recorded under F.B.C.C.F. No. 2001013676;

6-14 THENCE N 02°06'33" W, a distance of 430.59 feet along the west  
6-15 line of said 0.1937 acre tract and the east line of said 5.57 acre  
6-16 tract to the most westerly northwest corner of the herein described  
6-17 tract;

6-18 THENCE S 54°07'18" E, a distance of 21.80 feet to an angle  
6-19 point being in the west line of said 2.6207 acre tract;

6-20 THENCE N 02°49'28" W, a distance of 125.51 feet along the west  
6-21 line of said 2.6207 acre tract

6-22 to the most northern northwest corner of the herein described  
6-23 tract and being in the centerline of Jones Creek;

6-24 THENCE along the centerline meanders of said Jones Creek the  
6-25 following three (3) courses:

6-26 S 56°52'58" E, 85.68 feet to an angle point;

6-27 S 62°55'35" E, 103.32 feet to an angle point;

6-28 S 59°06'36" E, 101.79 feet to the northeast corner of said  
6-29 2.6207 acre tract and the northwest corner of said 1.977 acre tract;

6-30 THENCE S 03°05'43" E, a distance of 393.40 feet along the line  
6-31 common to said 2.6207 acre tract and said 1.977 acre tract to the  
6-32 POINT OF BEGINNING and containing 2.813 acres of land.

6-33 SECTION 3. (a) The legal notice of the intention to  
6-34 introduce this Act, setting forth the general substance of this  
6-35 Act, has been published as provided by law, and the notice and a  
6-36 copy of this Act have been furnished to all persons, agencies,  
6-37 officials, or entities to which they are required to be furnished  
6-38 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
6-39 Government Code.

6-40 (b) The governor, one of the required recipients, has  
6-41 submitted the notice and Act to the Texas Commission on  
6-42 Environmental Quality.

6-43 (c) The Texas Commission on Environmental Quality has filed  
6-44 its recommendations relating to this Act with the governor, the  
6-45 lieutenant governor, and the speaker of the house of  
6-46 representatives within the required time.

6-47 (d) All requirements of the constitution and laws of this  
6-48 state and the rules and procedures of the legislature with respect  
6-49 to the notice, introduction, and passage of this Act are fulfilled  
6-50 and accomplished.

6-51 SECTION 4. This Act takes effect immediately if it receives  
6-52 a vote of two-thirds of all the members elected to each house, as  
6-53 provided by Section 39, Article III, Texas Constitution. If this  
6-54 Act does not receive the vote necessary for immediate effect, this  
6-55 Act takes effect September 1, 2009.

6-56 \* \* \* \* \*