

By: Thompson

H.B. No. 1819

A BILL TO BE ENTITLED

AN ACT

relating to the Aldine Improvement District; providing authority to impose a tax.

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

SECTION 1. The heading to Chapter 3817, Special District Local Laws Code, is amended to read as follows:

CHAPTER 3817. EAST ALDINE MANAGEMENT [~~IMPROVEMENT~~] DISTRICT

SECTION 2. Section 3817.001(2), Special District Local Laws Code, is amended to read as follows:

(2) "District" means the East Aldine Management [~~Improvement~~] District.

SECTION 3. Section 3817.002, Special District Local Laws Code, is amended to read as follows:

Sec. 3817.002. EAST ALDINE MANAGEMENT [~~IMPROVEMENT~~] DISTRICT. The East Aldine Management [~~Improvement~~] District is a special district created under Section 59, Article XVI, Texas Constitution.

SECTION 4. Section 3817.005(b), Special District Local Laws Code, is amended to read as follows:

(b) The boundaries and field notes of the district [~~contained in Section 1, Chapter 1433, Acts of the 77th Legislature, Regular Session, 2001, enacting former Section 376.454, Local Government Code,~~] form a closure. A mistake in the field notes or in copying the field notes in the legislative process

1 does not in any way affect the district's:

2 (1) organization, existence, or validity;

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

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

7 (4) legality or operation.

8 SECTION 5. Section 3817.154, Special District Local Laws
9 Code, is amended by amending Subsection (a) and adding Subsection
10 (e) to read as follows:

11 (a) The district may impose a sales and use tax if
12 authorized by a majority of the voters of the district voting at an
13 election called for that purpose. Revenue from the tax may be used
14 for any purpose for which [~~ad valorem tax~~] revenue of the district
15 may be used.

16 (e) The board may establish one or more areas in the
17 district as a special sales and use tax zone if the board finds that
18 a reasonable distinction exists that justifies a special sales and
19 use tax rate in the area. The special sales and use tax rate may be
20 different than the sales and use tax rate imposed in the rest of the
21 district if the special sales and use tax rate is approved by a
22 majority of the voters of the special sales and use tax zone at an
23 election held for that purpose.

24 SECTION 6. The following territory is added to the
25 territory of the East Aldine Management District, formerly known as
26 the Aldine Improvement District:

27 Tract 1-BEGINNING at the northwestern corner of the boundary

1 of the East Aldine Management District at the north right of way of
2 Aldine Bender Road and the east boundary of Greater Greenspoint
3 Management District;

4 THENCE, northerly along the east boundary of Greater
5 Greenspoint Management District to the southern boundary of Greens
6 Parkway Municipal Utility District ("GPMUD");

7 THENCE, east along the southern boundary of GPMUD to the
8 point at which the GPMUD boundary turns north at the right of way of
9 Greens Road;

10 THENCE, continuing east along the north right of way of
11 Greens Road to the intersection of Greens Road and the City of
12 Houston full-purpose boundary line;

13 THENCE, south along the City of Houston full-purpose boundary
14 line, across Beltway 8 to the point at which the City of Houston
15 full-purpose boundary line intersects the northern boundary of East
16 Aldine Management District at Aldine Bender Road;

17 THENCE, west along the northern boundary line of East Aldine
18 Management District, TO THE POINT OF BEGINNING.

19 Tract 2-BEGINNING at the point at which the northern boundary
20 line of the East Aldine Management District intersects the City of
21 Houston full-purpose boundary line on the east side of the right of
22 way of Aldine Bender Road;

23 THENCE, north along the City of Houston full-purpose boundary
24 line to the point at which the City of Houston full-purpose boundary
25 line turns east;

26 THENCE, generally east along the City of Houston full-purpose
27 boundary line to the point at which the City of Houston full-purpose

1 boundary line reaches the right of way of John F. Kennedy Boulevard,
2 then south along the same City of Houston full-purpose boundary
3 line to the right of way of Aldine Bender Road where it meets the
4 north boundary line of East Aldine Management District;

5 THENCE, west along the north boundary line of East Aldine
6 Management District, to the POINT OF BEGINNING.

7 Tract 3-BEGINNING at the point at which the western boundary
8 line of the East Aldine Management District intersects the north
9 easement of Harris County Flood Control District (HCFCD) drainage
10 ditch (#9 DD-7, P138-00-00 tributary 24.97 to Greens Bayou);

11 THENCE, westerly along the north easement of HCFCD drainage
12 ditch (#9 DD-7, P138-00-00 tributary 24.97 to Greens Bayou) to east
13 boundary of City of Houston full-purpose boundary line;

14 THENCE, south along east boundary of City of Houston
15 full-purpose boundary line, across HCFCD easement of drainage ditch
16 (#9 DD-7, P138-00-00 tributary 24.97 to Greens Bayou) to north
17 boundary of Colonial Hills Subdivision

18 THENCE, west along the north boundary of Colonial Hills
19 Subdivision to northwest corner of said subdivision;

20 THENCE, southerly along the west boundary of Colonial Hills
21 Subdivision to southwest corner of said subdivision;

22 THENCE east along the south boundary of Colonial Hills
23 Subdivision to southeast corner of said subdivision;

24 THENCE, north along the east boundary of Colonial Hills
25 Subdivision to northeast corner of said subdivision and south
26 easement of HCFCD drainage ditch (#9 DD-7, P138-00-00 tributary
27 24.97 to Greens Bayou);

1 THENCE easterly along the south easement of HCFC D drainage
2 ditch (#9 DD-7, P138-00-00 tributary 24.97 to Greens Bayou) to west
3 boundary of existing East Aldine Management District;

4 THENCE, north along west boundary of existing East Aldine
5 Management District, across easement of HCFC D drainage ditch (#9
6 DD-7, P138-00-00 tributary 24.97 to Greens Bayou), to the POINT OF
7 BEGINNING.

8 SECTION 7. (a) The legislature validates and confirms all
9 governmental acts and proceedings of the Aldine Improvement
10 District, now known as the East Aldine Management District, that
11 were taken before the effective date of this Act. An act or
12 proceeding may not be held invalid because the act or proceeding was
13 not in accordance with Chapter 3817, Special District Local Laws
14 Code, or other law.

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

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

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

21 SECTION 8. A reference in law to the Aldine Improvement
22 District means the East Aldine Management District.

23 SECTION 9. (a) The legal notice of the intention to
24 introduce this Act, setting forth the general substance of this
25 Act, has been published as provided by law, and the notice and a
26 copy of this Act have been furnished to all persons, agencies,
27 officials, or entities to which they are required to be furnished

1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2 Government Code.

3 (b) The governor, one of the required recipients, has
4 submitted the notice and Act to the Texas Commission on
5 Environmental Quality.

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

10 (d) The general law relating to consent by political
11 subdivisions to the creation of districts with conservation,
12 reclamation, and road powers and the inclusion of land in those
13 districts has been complied with.

14 (e) All requirements of the constitution and laws of this
15 state and the rules and procedures of the legislature with respect
16 to the notice, introduction, and passage of this Act have been
17 fulfilled and accomplished.

18 SECTION 10. This Act takes effect immediately if it
19 receives a vote of two-thirds of all the members elected to each
20 house, as provided by Section 39, Article III, Texas Constitution.
21 If this Act does not receive the vote necessary for immediate
22 effect, this Act takes effect September 1, 2011.