

1-1 By: Zerwas (Senate Sponsor - Hegar) H.B. No. 3827  
1-2 (In the Senate - Received from the House May 4, 2011;  
1-3 May 5, 2011, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 20, 2011, reported adversely,  
1-5 with favorable Committee Substitute by the following vote: Yeas 5,  
1-6 Nays 0; May 20, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3827 By: Nichols

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

1-10 relating to the creation of the Fulshear Town Center Management  
1-11 District; providing authority to impose an assessment, impose a  
1-12 tax, and issue bonds.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-14 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
1-15 Code, is amended by adding Chapter 3903 to read as follows:

1-16 CHAPTER 3903. FULSHEAR TOWN CENTER MANAGEMENT DISTRICT

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 3903.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the district's board of directors.

1-20 (2) "City" means the City of Fulshear.

1-21 (3) "County" means Fort Bend County.

1-22 (4) "Director" means a board member.

1-23 (5) "District" means the Fulshear Town Center  
1-24 Management District.

1-25 Sec. 3903.002. CREATION AND NATURE OF DISTRICT. The  
1-26 Fulshear Town Center Management District is a special district  
1-27 created under Section 59, Article XVI, Texas Constitution.

1-28 Sec. 3903.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The  
1-29 creation of the district is essential to accomplish the purposes of  
1-30 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
1-31 Texas Constitution, and other public purposes stated in this  
1-32 chapter. By creating the district and in authorizing the city and  
1-33 other political subdivisions to contract with the district, the  
1-34 legislature has established a program to accomplish the public  
1-35 purposes set out in Section 52-a, Article III, Texas Constitution.

1-36 (b) The creation of the district is necessary to promote,  
1-37 develop, encourage, and maintain employment, commerce,  
1-38 transportation, housing, tourism, recreation, the arts,  
1-39 entertainment, economic development, safety, and the public  
1-40 welfare in the district.

1-41 (c) The district is created to supplement and not to  
1-42 supplant city services provided in the district.

1-43 Sec. 3903.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
1-44 The district is created to serve a public use and benefit.

1-45 (b) All land and other property included in the district  
1-46 will benefit from the improvements and services to be provided by  
1-47 the district under powers conferred by Sections 52 and 52-a,  
1-48 Article III, and Section 59, Article XVI, Texas Constitution, and  
1-49 other powers granted under this chapter.

1-50 (c) The creation of the district is in the public interest  
1-51 and is essential to further the public purposes of:

1-52 (1) developing and diversifying the economy of the  
1-53 state;

1-54 (2) eliminating unemployment and underemployment;

1-55 (3) developing or expanding transportation and  
1-56 commerce; and

1-57 (4) providing quality residential housing.

1-58 (d) The district will:

1-59 (1) promote the health, safety, and general welfare of  
1-60 residents, employers, potential employees, employees, visitors,  
1-61 and consumers in the district, and of the public;

1-62 (2) provide needed funding for the district to  
1-63 preserve, maintain, and enhance the economic health and vitality of

2-1 the district territory as a residential community and business  
2-2 center; and

2-3 (3) promote the health, safety, welfare, and enjoyment  
2-4 of the public by providing pedestrian ways and by landscaping and  
2-5 developing certain areas in the district, which are necessary for  
2-6 the restoration, preservation, and enhancement of scenic beauty.

2-7 (e) Pedestrian ways along or across a street, whether at  
2-8 grade or above or below the surface, and street lighting, street  
2-9 landscaping, vehicle parking, and street art objects are parts of  
2-10 and necessary components of a street and are considered to be an  
2-11 improvement project that includes a street or road improvement.

2-12 (f) The district will not act as the agent or  
2-13 instrumentality of any private interest even though the district  
2-14 will benefit many private interests as well as the public.

2-15 Sec. 3903.005. DISTRICT TERRITORY. (a) The district is  
2-16 initially composed of the territory described by Section 2 of the  
2-17 Act enacting this chapter.

2-18 (b) The boundaries and field notes contained in Section 2 of  
2-19 the Act enacting this chapter form a closure. A mistake in the  
2-20 field notes or in copying the field notes in the legislative process  
2-21 does not affect the district's:

2-22 (1) organization, existence, or validity;

2-23 (2) right to issue any type of bond for the purposes  
2-24 for which the district is created or to pay the principal of and  
2-25 interest on a bond;

2-26 (3) right to impose or collect an assessment or tax; or

2-27 (4) legality or operation.

2-28 Sec. 3903.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

2-29 (a) All or any part of the area of the district is eligible to be

2-30 included in:

2-31 (1) a tax increment reinvestment zone created under

2-32 Chapter 311, Tax Code;

2-33 (2) a tax abatement reinvestment zone created under

2-34 Chapter 312, Tax Code;

2-35 (3) an enterprise zone created under Chapter 2303,

2-36 Government Code; or

2-37 (4) an industrial district created under Chapter 42,

2-38 Local Government Code.

2-39 (b) If the city creates a tax increment reinvestment zone  
2-40 described by Subsection (a), the city and the board of directors of  
2-41 the zone, by contract with the district, may grant money deposited  
2-42 in the tax increment fund to the district to be used by the district  
2-43 for the purposes permitted for money granted to a corporation under  
2-44 Section 380.002(b), Local Government Code, including the right to  
2-45 pledge the money as security for any bonds issued by the district  
2-46 for an improvement project. A project may not receive public funds  
2-47 under Section 380.002(b), Local Government Code, unless the project  
2-48 complies with a development agreement entered into under Section  
2-49 3903.207.

2-50 (c) A tax increment reinvestment zone created by the city in  
2-51 the district is not subject to the limitations provided by Section  
2-52 311.006(b), Tax Code.

2-53 (d) A tax increment reinvestment zone or a tax abatement  
2-54 reinvestment zone may not include territory in the district unless  
2-55 the governing body of the city approves the inclusion.

2-56 Sec. 3903.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
2-57 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2-58 Chapter 375, Local Government Code, applies to the district.

2-59 Sec. 3903.008. LIBERAL CONSTRUCTION OF CHAPTER. This  
2-60 chapter shall be liberally construed in conformity with the  
2-61 findings and purposes stated in this chapter.

2-62 [Sections 3903.009-3903.050 reserved for expansion]

2-63 SUBCHAPTER B. BOARD OF DIRECTORS

2-64 Sec. 3903.051. GOVERNING BODY; TERMS. The district is  
2-65 governed by a board of five voting directors who serve staggered  
2-66 terms of four years, with two or three directors' terms expiring  
2-67 June 1 of each even-numbered year.

2-68 Sec. 3903.052. QUALIFICATIONS OF DIRECTORS APPOINTED BY  
2-69 CITY. (a) To be qualified to serve as a director appointed by the

3-1 governing body of the city, a person must be:  
 3-2 (1) a resident of the district who is also a registered  
 3-3 voter of the district;  
 3-4 (2) an owner of property in the district;  
 3-5 (3) an owner of stock or a partnership or membership  
 3-6 interest, whether beneficial or otherwise, of a corporate  
 3-7 partnership, limited liability company, or other entity owner of a  
 3-8 direct or indirect interest in property in the district;  
 3-9 (4) an owner of a beneficial interest in a trust, or a  
 3-10 trustee in a trust, that directly or indirectly owns property in the  
 3-11 district; or  
 3-12 (5) an agent, employee, or tenant of a person  
 3-13 described by Subdivision (2), (3), or (4).

3-14 (b) Section 49.052, Water Code, does not apply to the  
 3-15 district.

3-16 Sec. 3903.053. APPOINTMENT OF DIRECTORS. The governing  
 3-17 body of the city shall appoint directors from persons recommended  
 3-18 by the board.

3-19 Sec. 3903.054. VACANCY. If a vacancy occurs on the board,  
 3-20 the remaining directors shall appoint a director for the remainder  
 3-21 of the unexpired term.

3-22 Sec. 3903.055. DIRECTOR'S OATH OR AFFIRMATION. (a) A  
 3-23 director shall file the director's oath or affirmation of office  
 3-24 with the district, and the district shall retain the oath or  
 3-25 affirmation in the district records.

3-26 (b) A director shall file a copy of the director's oath or  
 3-27 affirmation with the secretary of the city.

3-28 Sec. 3903.056. OFFICERS. The board shall elect from among  
 3-29 the directors a chair, a vice chair, and a secretary. The offices  
 3-30 of chair and secretary may not be held by the same person.

3-31 Sec. 3903.057. COMPENSATION; EXPENSES. A director is not  
 3-32 entitled to compensation but is entitled to reimbursement for  
 3-33 necessary and reasonable expenses incurred in carrying out the  
 3-34 duties and responsibilities of the board.

3-35 Sec. 3903.058. LIABILITY INSURANCE. The district may  
 3-36 obtain and pay for comprehensive general liability insurance  
 3-37 coverage from a commercial insurance company or other source that  
 3-38 protects and insures a director against personal liability and from  
 3-39 all claims relating to:

- 3-40 (1) actions taken by the director in the director's
- 3-41 capacity as a member of the board;
- 3-42 (2) actions and activities taken by the district; or
- 3-43 (3) the actions of others acting on behalf of the
- 3-44 district.

3-45 Sec. 3903.059. NO EXECUTIVE COMMITTEE. The board may not  
 3-46 create an executive committee to exercise the powers of the board.

3-47 Sec. 3903.060. BOARD MEETINGS. The board shall hold  
 3-48 meetings at a place accessible to the public.

3-49 Sec. 3903.061. INITIAL DIRECTORS. (a) The initial board  
 3-50 consists of:

	<u>Pos. No.</u>	<u>Name of Director</u>
3-51	<u>1</u>	<u>David Delk</u>
3-52	<u>2</u>	<u>Randy Emery</u>
3-53	<u>3</u>	<u>Doug Konopka</u>
3-54	<u>4</u>	<u>Brooke Lewis</u>
3-55	<u>5</u>	<u>Colice Watts</u>

3-57 (b) The terms of the initial directors expire June 1, 2012.

3-58 (c) Of the directors who replace an initial director, the  
 3-59 terms of directors serving in positions 1, 2, and 3 expire June 1,  
 3-60 2014, and the terms of directors serving in positions 4 and 5 expire  
 3-61 June 1, 2016.

3-62 (d) Section 3903.052 does not apply to this section.

3-63 (e) This section expires September 1, 2016.

3-64 [Sections 3903.062-3903.100 reserved for expansion]

3-65 SUBCHAPTER C. POWERS AND DUTIES

3-66 Sec. 3903.101. GENERAL POWERS AND DUTIES. The district has  
 3-67 the powers and duties necessary to accomplish the purposes for  
 3-68 which the district is created.

3-69 Sec. 3903.102. DEVELOPMENT CORPORATION POWERS. The

4-1 district, using money available to the district, may exercise the  
4-2 powers given to a development corporation under Chapter 505, Local  
4-3 Government Code, including the power to own, operate, acquire,  
4-4 construct, lease, improve, or maintain a project under that  
4-5 chapter.

4-6 Sec. 3903.103. NONPROFIT CORPORATION. (a) The board by  
4-7 resolution may authorize the creation of a nonprofit corporation to  
4-8 assist and act for the district in implementing a project or  
4-9 providing a service authorized by this chapter.

4-10 (b) The nonprofit corporation:

4-11 (1) has each power of and is considered to be a local  
4-12 government corporation created under Subchapter D, Chapter 431,  
4-13 Transportation Code; and

4-14 (2) may implement any project and provide any service  
4-15 authorized by this chapter.

4-16 (c) The board shall appoint the board of directors of the  
4-17 nonprofit corporation. The board of directors of the nonprofit  
4-18 corporation shall serve in the same manner as the board of directors  
4-19 of a local government corporation created under Subchapter D,  
4-20 Chapter 431, Transportation Code, except that a board member is not  
4-21 required to reside in the district.

4-22 Sec. 3903.104. AGREEMENTS; GRANTS. (a) As provided by  
4-23 Chapter 375, Local Government Code, the district may make an  
4-24 agreement with or accept a gift, grant, or loan from any person.

4-25 (b) The implementation of a project is a governmental  
4-26 function or service for the purposes of Chapter 791, Government  
4-27 Code.

4-28 Sec. 3903.105. LAW ENFORCEMENT SERVICES. To protect the  
4-29 public interest, the district may contract with a qualified party,  
4-30 including the county or the city, to provide law enforcement  
4-31 services in the district for a fee.

4-32 Sec. 3903.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
4-33 district may join and pay dues to a charitable or nonprofit  
4-34 organization that performs a service or provides an activity  
4-35 consistent with the furtherance of a district purpose.

4-36 Sec. 3903.107. ECONOMIC DEVELOPMENT. (a) The district may  
4-37 engage in activities that accomplish the economic development  
4-38 purposes of the district.

4-39 (b) The district may establish and provide for the  
4-40 administration of one or more programs to promote state or local  
4-41 economic development and to stimulate business and commercial  
4-42 activity in the district, including programs to:

4-43 (1) make loans and grants of public money; and

4-44 (2) provide district personnel and services.

4-45 (c) The district may create economic development programs  
4-46 and exercise the economic development powers that:

4-47 (1) Chapter 380, Local Government Code, provides to a  
4-48 municipality; and

4-49 (2) Subchapter A, Chapter 1509, Government Code,  
4-50 provides to a municipality.

4-51 Sec. 3903.108. PARKING FACILITIES. (a) The district may  
4-52 acquire, lease as lessor or lessee, construct, develop, own,  
4-53 operate, and maintain parking facilities or a system of parking  
4-54 facilities, including lots, garages, parking terminals, or other  
4-55 structures or accommodations for parking motor vehicles off the  
4-56 streets and related appurtenances.

4-57 (b) The district's parking facilities serve the public  
4-58 purposes of the district and are owned, used, and held for a public  
4-59 purpose even if leased or operated by a private entity for a term of  
4-60 years.

4-61 (c) The district's parking facilities are parts of and  
4-62 necessary components of a street and are considered to be a street  
4-63 or road improvement.

4-64 (d) The development and operation of the district's parking  
4-65 facilities may be considered an economic development program.

4-66 Sec. 3903.109. NO EMINENT DOMAIN POWER. The district may  
4-67 not exercise the power of eminent domain.

4-68 [Sections 3903.110-3903.130 reserved for expansion]

4-69 SUBCHAPTER C-1. IMPROVEMENT PROJECTS

5-1 Sec. 3903.131. IMPROVEMENT PROJECTS AND SERVICES. The  
5-2 district may provide, design, construct, acquire, improve,  
5-3 relocate, operate, maintain, or finance an improvement project or  
5-4 service using money available to the district, or contract with a  
5-5 governmental or private entity to provide, design, construct,  
5-6 acquire, improve, relocate, operate, maintain, or finance an  
5-7 improvement project or service authorized under this chapter or  
5-8 Chapter 375, Local Government Code.

5-9 Sec. 3903.132. LOCATION OF IMPROVEMENT PROJECT. An  
5-10 improvement project described by Section 3903.131 may be located:

- 5-11 (1) in the district; or
- 5-12 (2) in an area outside but adjacent to the district if  
5-13 the project is for the purpose of extending a public infrastructure  
5-14 improvement beyond the district's boundaries to a logical terminus.

5-15 Sec. 3903.133. PREREQUISITES FOR IMPROVEMENT PROJECTS. The  
5-16 district may not construct an improvement project unless:

- 5-17 (1) the owner of the land on which the improvement  
5-18 project will be constructed records a plat in the map and plat  
5-19 records of the county in which the district is located; and

- 5-20 (2) the planning commission of the city approves the  
5-21 plat.

5-22 Sec. 3903.134. ADDITIONAL DISTRICT DUTIES REGARDING  
5-23 IMPROVEMENT PROJECTS. The district shall:

- 5-24 (1) submit written notice to the city administrator or  
5-25 the administrator's designee of the anticipated date construction  
5-26 of an improvement project will begin;

- 5-27 (2) construct the improvement project to comply with a  
5-28 development agreement entered into under Section 3903.207;

- 5-29 (3) comply with applicable city ordinances,  
5-30 resolutions, and regulations when constructing and maintaining an  
5-31 improvement project;

- 5-32 (4) allow a representative of the city to inspect an  
5-33 improvement project during construction to assess the project's  
5-34 compliance with applicable city ordinances, resolutions, and  
5-35 regulations;

- 5-36 (5) alter an improvement project to comply with  
5-37 applicable city ordinances, resolutions, and regulations if the  
5-38 representative of the city provides the district with written  
5-39 notice that the improvement project does not comply with applicable  
5-40 city ordinances, resolutions, and regulations; and

- 5-41 (6) obtain any necessary permits from city, county,  
5-42 state, or federal authorities to construct and maintain an  
5-43 improvement project.

5-44 Sec. 3903.135. LICENSE AND CERTIFICATION REQUIREMENTS. The  
5-45 district may not contract with or employ a person to plan or  
5-46 construct an improvement project unless the person is licensed or  
5-47 certified in an area relating to planning or construction, as  
5-48 applicable.

5-49 [Sections 3903.136-3903.150 reserved for expansion]

5-50 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

5-51 Sec. 3903.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
5-52 board by resolution shall establish the number of directors'  
5-53 signatures and the procedure required for a disbursement or  
5-54 transfer of the district's money.

5-55 Sec. 3903.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
5-56 The district may acquire, construct, finance, operate, or maintain  
5-57 an improvement project or service authorized under this chapter or  
5-58 Chapter 375, Local Government Code, using any money available to  
5-59 the district.

5-60 Sec. 3903.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
5-61 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
5-62 service or improvement project with assessments under this chapter  
5-63 unless a written petition requesting that service or improvement  
5-64 has been filed with the board.

5-65 (b) The petition must be signed by the owners of a majority  
5-66 of the assessed value of real property in the district subject to  
5-67 assessment according to the most recent certified tax appraisal  
5-68 roll for the county.

5-69 Sec. 3903.154. METHOD OF NOTICE FOR HEARING. The district

6-1 may mail the notice required by Section 375.115(c), Local  
6-2 Government Code, by certified or first class United States mail.  
6-3 The board shall determine the method of notice.

6-4 Sec. 3903.155. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
6-5 The board by resolution may impose and collect an assessment for any  
6-6 purpose authorized by this chapter in all or any part of the  
6-7 district.

6-8 (b) An assessment, a reassessment, or an assessment  
6-9 resulting from an addition to or correction of the assessment roll  
6-10 by the district, penalties and interest on an assessment or  
6-11 reassessment, an expense of collection, and reasonable attorney's  
6-12 fees incurred by the district:

6-13 (1) are a first and prior lien against the property  
6-14 assessed;

6-15 (2) are superior to any other lien or claim other than  
6-16 a lien or claim for county, school district, or municipal ad valorem  
6-17 taxes; and

6-18 (3) are the personal liability of and a charge against  
6-19 the owners of the property even if the owners are not named in the  
6-20 assessment proceedings.

6-21 (c) The lien is effective from the date of the board's  
6-22 resolution imposing the assessment until the date the assessment is  
6-23 paid. The board may enforce the lien in the same manner that the  
6-24 board may enforce an ad valorem tax lien against real property.

6-25 (d) The board may make a correction to or deletion from the  
6-26 assessment roll that does not increase the amount of assessment of  
6-27 any parcel of land without providing notice and holding a hearing in  
6-28 the manner required for additional assessments.

6-29 Sec. 3903.156. TAX AND ASSESSMENT ABATEMENTS. The district  
6-30 may designate reinvestment zones and may grant abatements of a tax  
6-31 or assessment on property in the zones.

6-32 [Sections 3903.157-3903.200 reserved for expansion]

6-33 SUBCHAPTER E. TAXES AND BONDS

6-34 Sec. 3903.201. BONDS AND OTHER OBLIGATIONS. (a) The  
6-35 district may issue, by public or private sale, bonds, notes, or  
6-36 other obligations payable wholly or partly from ad valorem taxes or  
6-37 assessments in the manner provided by Subchapter A, Chapter 372, or  
6-38 Subchapter J, Chapter 375, Local Government Code.

6-39 (b) In exercising the district's borrowing power, the  
6-40 district may issue a bond or other obligation in the form of a bond,  
6-41 note, certificate of participation or other instrument evidencing a  
6-42 proportionate interest in payments to be made by the district, or  
6-43 other type of obligation.

6-44 (c) In addition to the sources of money described by  
6-45 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local  
6-46 Government Code, district bonds may be secured and made payable  
6-47 wholly or partly by a pledge of any part of the money the district  
6-48 receives from improvement revenue or from any other source.

6-49 Sec. 3903.202. BOND MATURITY. Bonds may mature not more  
6-50 than 30 years from their date of issue.

6-51 Sec. 3903.203. TAXES FOR BONDS AND OTHER OBLIGATIONS. At  
6-52 the time bonds or other obligations payable wholly or partly from ad  
6-53 valorem taxes are issued:

6-54 (1) the board shall impose a continuing direct annual  
6-55 ad valorem tax for each year that all or part of the bonds are  
6-56 outstanding; and

6-57 (2) the district annually shall impose an ad valorem  
6-58 tax on all taxable property in the district in an amount sufficient  
6-59 to:

6-60 (A) pay the interest on the bonds or other  
6-61 obligations as the interest becomes due; and

6-62 (B) create a sinking fund for the payment of the  
6-63 principal of the bonds or other obligations when due or the  
6-64 redemption price at any earlier required redemption date.

6-65 Sec. 3903.204. ELECTION REQUIRED FOR TAXES OR BONDS. The  
6-66 district must hold an election in the manner provided by Subchapter  
6-67 L, Chapter 375, Local Government Code, to obtain voter approval  
6-68 before the district may impose an ad valorem tax or issue bonds  
6-69 payable from ad valorem taxes.

7-1 Sec. 3903.205. HOTEL OCCUPANCY TAX. (a) The district may  
7-2 impose a hotel occupancy tax in the manner that Chapter 351, Tax  
7-3 Code, provides for a municipality.

7-4 (b) The district may use revenue from the tax for any  
7-5 purpose described by Section 351.101, Tax Code.

7-6 (c) The amount of the hotel occupancy tax may not exceed a  
7-7 rate that, when added to the rates of all hotel occupancy taxes  
7-8 imposed by other political subdivisions with territory in the  
7-9 district, does not exceed the rate prescribed by Section  
7-10 351.003(a), Tax Code.

7-11 Sec. 3903.206. CERTAIN SINGLE-FAMILY RESIDENTIAL PROPERTY  
7-12 EXEMPT. (a) The district may not impose an assessment or tax on a  
7-13 single-family residential property that:

7-14 (1) is in the territory described by Section 2 of the  
7-15 Act creating the district; and

7-16 (2) exists as of the effective date of the Act enacting  
7-17 this chapter.

7-18 (b) Section 375.161, Local Government Code, does not apply  
7-19 to the district.

7-20 Sec. 3903.207. DEVELOPMENT AGREEMENT. The district may  
7-21 enter into a development agreement that requires the district to  
7-22 reimburse a developer for the costs associated with constructing  
7-23 and maintaining an improvement project. The district may use  
7-24 revenue from taxes and assessments to reimburse a developer under  
7-25 this section.

7-26 [Sections 3903.208-3903.250 reserved for expansion]

7-27 SUBCHAPTER F. DISSOLUTION

7-28 Sec. 3903.251. DISSOLUTION BY CITY ORDINANCE. (a) The city  
7-29 by ordinance may dissolve the district.

7-30 (b) The city may not dissolve the district until the  
7-31 district's outstanding debt or contractual obligations that are  
7-32 payable from ad valorem taxes have been repaid or discharged, or the  
7-33 city has affirmatively assumed the obligation to pay the  
7-34 outstanding debt from city revenue.

7-35 (c) If the district enters a development agreement under  
7-36 Section 3903.207, the city may not dissolve the district until the  
7-37 agreement has been executed and the district's performance under  
7-38 the agreement has been fulfilled, including any right or obligation  
7-39 the district has to reimburse a developer or owner for the costs of  
7-40 improvement projects.

7-41 Sec. 3903.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

7-42 (a) If the dissolved district has bonds or other obligations  
7-43 outstanding secured by and payable from assessments or other  
7-44 revenue, other than ad valorem taxes, the city shall succeed to the  
7-45 rights and obligations of the district regarding enforcement and  
7-46 collection of the assessments or other revenue.

7-47 (b) The city shall have and exercise all district powers to  
7-48 enforce and collect the assessments or other revenue to pay:

7-49 (1) the bonds or other obligations when due and  
7-50 payable according to their terms; or

7-51 (2) special revenue or assessment bonds or other  
7-52 obligations issued by the city to refund the outstanding bonds or  
7-53 obligations.

7-54 Sec. 3903.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)  
7-55 After the city dissolves the district, the city assumes, subject to  
7-56 the appropriation and availability of funds, the obligations of the  
7-57 district, including any bonds or other debt payable from  
7-58 assessments or other district revenue.

7-59 (b) If the city dissolves the district, the board shall  
7-60 transfer ownership of all district property to the city.

7-61 SECTION 2. The Fulshear Town Center Management District  
7-62 initially includes all the territory contained in the following  
7-63 area:

7-64 Being an 84.3 acre tract situated in the City of Fulshear, with said  
7-65 tract being more particularly described as follows:

7-66 With the point of beginning being at SE corner of 0.3444 acre parcel  
7-67 (Fulshear, Block 6, Lot 1,4);

7-68 Then south along W ROW of FM 359 (Main St.) to SE corner of 0.1377  
7-69 acre parcel (FULSHEAR, BLOCK 3, ACRES 0.1377, (Pt) 20' Alley in

8-1 Block 3);  
8-2 Then west along S boundary of said parcel to NE corner 0.42 acre  
8-3 parcel (FULSHEAR, BLOCK 3, LOT 4,5);  
8-4 Then south along E boundary of 0.42 acre parcel (FULSHEAR, BLOCK 3,  
8-5 LOT 4,5) to N ROW of Front St;  
8-6 Then east along N ROW of Front St and FM 1093 to SE corner of 64.5  
8-7 acre parcel (0029 C FULSHEAR, TRACT 66, ACRES 64.506);  
8-8 Then east across ROW of Katy-Fulshear Rd and along S boundary of  
8-9 6.93 acre parcel (0050 E LATHAM, TRACT 24 (PT), PARCEL 3, ACRES  
8-10 6.9307, (PT (2.7197 ACS) IN A-29)) to a point approximately 215 feet  
8-11 east of SW corner of said parcel;  
8-12 Then south across FM 1093 and Metro Rail ROWs to NE corner of 52.23  
8-13 acre parcel (0029 C FULSHEAR, TRACT 82-C, ACRES 52.23);  
8-14 Then west along N Boundary of 52.23 acre parcel (0029 C FULSHEAR,  
8-15 TRACT 82-C, ACRES 52.23) to NE corner of 20.089 acre parcel (0029 C  
8-16 FULSHEAR, TRACT 6, ACRES 20.089);  
8-17 Then south along E boundary of 20.089 acre parcel (0029 C FULSHEAR,  
8-18 TRACT 6, ACRES 20.089) to SE corner of said parcel;  
8-19 Then west along S boundary of 20.089 acre parcel (0029 C FULSHEAR,  
8-20 TRACT 6, ACRES 20.089), and 18.82 acre parcel (0029 C Fulshear,  
8-21 TRACT 3 (Pt), ACRES 18.8242, (Part of a 26.5629 ac tract), and 3.754  
8-22 acre parcel (0029 C Fulshear, TRACT 3 (Pt), ACRES 3.754, (Part of a  
8-23 26.5629 ac tract)), and 3.753 acre parcel (0029 C FULSHEAR, TRACT 1,  
8-24 ACRES 3.753) to SW corner 3.753 acre parcel (0029 C FULSHEAR, TRACT  
8-25 1, ACRES 3.753);  
8-26 Then north along W boundary of 3.753 acre parcel (0029 C FULSHEAR,  
8-27 TRACT 1, ACRES 3.753), and across Metro Rail and FM 1093 ROWs to S  
8-28 boundary of 70 acre parcel (0029 C Fulshear, TRACT 91 (PT), ACRES  
8-29 69, (PART OF A 70.00 AC TRACT));  
8-30 Then east northeast along S boundary of 70 acre parcel (0029 C  
8-31 Fulshear, TRACT 91 (PT), ACRES 69, (PART OF A 70.00 AC TRACT)) to SE  
8-32 corner of said parcel;  
8-33 Then north along E boundary of said parcel to N ROW of Front St;  
8-34 Then east northeast along N ROW of Front St to W ROW of Harris St;  
8-35 Then north along W ROW of Harris St to NE corner of 0.5165 acre  
8-36 parcel (FULSHEAR, BLOCK 5, LOT 1,4,5);  
8-37 Then east across ROW of Harris St, and along north boundary of  
8-38 0.5165 acre parcel (FULSHEAR, BLOCK 6, LOT 2,3,6) to NE corner of  
8-39 said parcel;  
8-40 Then south along E boundary of 0.5165 acre parcel (FULSHEAR, BLOCK  
8-41 6, LOT 2,3,6) to SE corner of said parcel;  
8-42 Then east along S boundary of 0.3444 acre parcel (Fulshear, Block 6,  
8-43 Lot 1,4) to point of beginning;

8-44 SECTION 3. (a) The legal notice of the intention to  
8-45 introduce this Act, setting forth the general substance of this  
8-46 Act, has been published as provided by law, and the notice and a  
8-47 copy of this Act have been furnished to all persons, agencies,  
8-48 officials, or entities to which they are required to be furnished  
8-49 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
8-50 Government Code.

8-51 (b) The governor, one of the required recipients, has  
8-52 submitted the notice and Act to the Texas Commission on  
8-53 Environmental Quality.

8-54 (c) The Texas Commission on Environmental Quality has filed  
8-55 its recommendations relating to this Act with the governor,  
8-56 lieutenant governor, and speaker of the house of representatives  
8-57 within the required time.

8-58 (d) The general law relating to consent by political  
8-59 subdivisions to the creation of districts with conservation,  
8-60 reclamation, and road powers and the inclusion of land in those  
8-61 districts has been complied with.

8-62 (e) All requirements of the constitution and laws of this  
8-63 state and the rules and procedures of the legislature with respect  
8-64 to the notice, introduction, and passage of this Act have been  
8-65 fulfilled and accomplished.

8-66 SECTION 4. This Act takes effect immediately if it receives  
8-67 a vote of two-thirds of all the members elected to each house, as  
8-68 provided by Section 39, Article III, Texas Constitution. If this  
8-69 Act does not receive the vote necessary for immediate effect, this



9-1 Act takes effect September 1, 2011.

9-2 \* \* \* \* \*