By: Parker   H.B. No. 3840

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the extension of the deadline for holding the

3 confirmation and initial directors' election of the Tradition

4 Municipal Utility District No. 2 of Denton County.

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

6   SECTION 1. Section 8189.003, Special District Local Laws

7 Code, is amended to read as follows:

8   Sec. 8189.003. CONFIRMATION ELECTION REQUIRED. If the

9 creation of the district is not confirmed at a confirmation

10 election held under Section 8189.024 before September 1, 2015

11 [2011]:

12   (1) the district is dissolved September 1, 2015

13 [2011], except that:

14   (A) any debts incurred shall be paid;

15   (B) any assets that remain after the payment of

16 debts shall be transferred to Denton County; and

17   (C) the organization of the district shall be

18 maintained until all debts are paid and remaining assets are

19 transferred; and

20   (2) this chapter expires September 1, 2018 [2014].

21   SECTION 2. Section 8189.021, Special District Local Laws

22 Code, is amended by amending Subsection (d) and adding Subsections

23 (e) and (f) to read as follows:

24   (d) Temporary directors serve until the earlier of:

1   (1) the date <u>initial</u> directors are elected under

2 Section 8189.024; or

3   (2) the <u>fourth anniversary of the date on which the</u>

4 <u>temporary directors were appointed</u> [date this subchapter expires

5 under Section 8189.026].

6   (e) <u>If initial directors have not been elected under Section</u>

7 <u>8189.024 and the terms of the temporary directors have expired,</u>

8 <u>successor temporary directors shall be appointed or reappointed as</u>

9 <u>provided by Subsection (f) to serve terms that expire on the</u>

10 <u>earliest of:</u>

11   <u>(1) the date initial directors are elected under</u>

12 <u>Section 8189.024;</u>

13   <u>(2) the fourth anniversary of the date of the</u>

14 <u>appointment or reappointment; or</u>

15   <u>(3) the date this chapter expires under Section</u>

16 <u>8189.003.</u>

17   (f) <u>If Subsection (e) applies, the owner or owners of a</u>

18 <u>majority of the assessed value of the real property in the district</u>

19 <u>may submit a petition to the Texas Commission on Environmental</u>

20 <u>Quality requesting that the commission appoint as successor</u>

21 <u>temporary directors the five persons named in the petition. The</u>

22 <u>commission shall appoint as successor temporary directors the five</u>

23 <u>persons named in the petition.</u>

24   SECTION 3. Section 8189.026, Special District Local Laws

25 Code, is amended to read as follows:

26   Sec. 8189.026. EXPIRATION OF SUBCHAPTER. This subchapter

27 expires September 1, <u>2018</u> [2014].

2

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

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

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

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

19   SECTION 5. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2011.