

1-1 By: Parker (Senate Sponsor - Nelson) H.B. No. 3840
1-2 (In the Senate - Received from the House May 13, 2011;
1-3 May 13, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 19, 2011, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 19, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the extension of the deadline for holding the
1-9 confirmation and initial directors' election of the Tradition
1-10 Municipal Utility District No. 2 of Denton County.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 8189.003, Special District Local Laws
1-13 Code, is amended to read as follows:

1-14 Sec. 8189.003. CONFIRMATION ELECTION REQUIRED. If the
1-15 creation of the district is not confirmed at a confirmation
1-16 election held under Section 8189.024 before September 1, 2015
1-17 [~~2011~~]:

1-18 (1) the district is dissolved September 1, 2015
1-19 [~~2011~~], except that:

1-20 (A) any debts incurred shall be paid;

1-21 (B) any assets that remain after the payment of
1-22 debts shall be transferred to Denton County; and

1-23 (C) the organization of the district shall be
1-24 maintained until all debts are paid and remaining assets are
1-25 transferred; and

1-26 (2) this chapter expires September 1, 2018 [~~2014~~].

1-27 SECTION 2. Section 8189.021, Special District Local Laws
1-28 Code, is amended by amending Subsection (d) and adding Subsections
1-29 (e) and (f) to read as follows:

1-30 (d) Temporary directors serve until the earlier of:

1-31 (1) the date initial directors are elected under
1-32 Section 8189.024; or

1-33 (2) the fourth anniversary of the date on which the
1-34 temporary directors were appointed [~~date this subchapter expires~~
1-35 ~~under Section 8189.026~~].

1-36 (e) If initial directors have not been elected under Section
1-37 8189.024 and the terms of the temporary directors have expired,
1-38 successor temporary directors shall be appointed or reappointed as
1-39 provided by Subsection (f) to serve terms that expire on the
1-40 earliest of:

1-41 (1) the date initial directors are elected under
1-42 Section 8189.024;

1-43 (2) the fourth anniversary of the date of the
1-44 appointment or reappointment; or

1-45 (3) the date this chapter expires under Section
1-46 8189.003.

1-47 (f) If Subsection (e) applies, the owner or owners of a
1-48 majority of the assessed value of the real property in the district
1-49 may submit a petition to the Texas Commission on Environmental
1-50 Quality requesting that the commission appoint as successor
1-51 temporary directors the five persons named in the petition. The
1-52 commission shall appoint as successor temporary directors the five
1-53 persons named in the petition.

1-54 SECTION 3. Section 8189.026, Special District Local Laws
1-55 Code, is amended to read as follows:

1-56 Sec. 8189.026. EXPIRATION OF SUBCHAPTER. This subchapter
1-57 expires September 1, 2018 [~~2014~~].

1-58 SECTION 4. (a) The legal notice of the intention to
1-59 introduce this Act, setting forth the general substance of this
1-60 Act, has been published as provided by law, and the notice and a
1-61 copy of this Act have been furnished to all persons, agencies,
1-62 officials, or entities to which they are required to be furnished
1-63 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
1-64 Government Code.

2-1 (b) The governor, one of the required recipients, has
2-2 submitted the notice and Act to the Texas Commission on
2-3 Environmental Quality.

2-4 (c) The Texas Commission on Environmental Quality has filed
2-5 its recommendations relating to this Act with the governor, the
2-6 lieutenant governor, and the speaker of the house of
2-7 representatives within the required time.

2-8 (d) All requirements of the constitution and laws of this
2-9 state and the rules and procedures of the legislature with respect
2-10 to the notice, introduction, and passage of this Act are fulfilled
2-11 and accomplished.

2-12 SECTION 5. This Act takes effect immediately if it receives
2-13 a vote of two-thirds of all the members elected to each house, as
2-14 provided by Section 39, Article III, Texas Constitution. If this
2-15 Act does not receive the vote necessary for immediate effect, this
2-16 Act takes effect September 1, 2011.

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