

1-1 By: Deuell S.B. No. 234  
1-2 (In the Senate - Filed November 19, 2010; January 31, 2011,  
1-3 read first time and referred to Committee on Intergovernmental  
1-4 Relations; April 4, 2011, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 April 4, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 234 By: Nichols

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

1-10 relating to the creation of the Rowlett Downtown Management  
1-11 District; providing authority to impose a tax, levy an assessment,  
1-12 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 3894 to read as follows:

1-16 CHAPTER 3894. ROWLETT DOWNTOWN MANAGEMENT DISTRICT  
1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 3894.001. DEFINITIONS. In this chapter:

- 1-19 (1) "Board" means the district's board of directors.  
1-20 (2) "City" means the City of Rowlett, Texas.  
1-21 (3) "Director" means a member of the board.  
1-22 (4) "District" means the Rowlett Downtown Management

1-23 District.  
1-24 (5) "Improvement project" means any program or project

1-25 authorized by Section 3894.102, inside or outside the district.  
1-26 Sec. 3894.002. CREATION AND NATURE OF DISTRICT. The  
1-27 district is a special district created under Sections 52 and 52-a,  
1-28 Article III, and Section 59, Article XVI, Texas Constitution.

1-29 Sec. 3894.003. PURPOSE; DECLARATION OF INTENT. (a) The  
1-30 creation of the district is essential to accomplish the purposes of  
1-31 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
1-32 Texas Constitution, and other public purposes stated in this  
1-33 chapter. By creating the district and in authorizing the city and  
1-34 other political subdivisions to contract with the district, the  
1-35 legislature has established a program to accomplish the public  
1-36 purposes set out in Section 52-a, Article III, Texas Constitution.

1-37 (b) The creation of the district is necessary to promote,  
1-38 develop, encourage, and maintain employment, commerce,  
1-39 transportation, housing, tourism, recreation, the arts,  
1-40 entertainment, economic development, safety, and the public  
1-41 welfare in the district.

1-42 (c) This chapter and the creation of the district may not be  
1-43 interpreted to relieve the city or Dallas County from providing the  
1-44 level of services provided to the area in the district as of the  
1-45 effective date of the Act enacting this chapter. The district is  
1-46 created to supplement and not to supplant the city and county  
1-47 services provided in the district.

1-48 Sec. 3894.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-49 (a) The district is created to serve a public use and benefit.

1-50 (b) All land and other property included in the district  
1-51 will benefit from the improvements and services to be provided by  
1-52 the district under powers conferred by Sections 52 and 52-a,  
1-53 Article III, and Section 59, Article XVI, Texas Constitution, and  
1-54 other powers granted under this chapter.

1-55 (c) The creation of the district is in the public interest  
1-56 and is essential to further the public purposes of:

1-57 (1) developing and diversifying the economy of the  
1-58 state;

1-59 (2) eliminating unemployment and underemployment; and

1-60 (3) developing or expanding transportation and

1-61 commerce.

1-62 (d) The district will:

1-63 (1) promote the health, safety, and general welfare of

2-1 residents, employers, employees, potential employees, visitors,  
 2-2 and consumers in the district, and of the public;  
 2-3 (2) provide needed funding for the district to  
 2-4 preserve, maintain, and enhance the economic health and vitality of  
 2-5 the district territory as a community and business center; and  
 2-6 (3) promote the health, safety, welfare, and enjoyment  
 2-7 of the public by providing pedestrian ways and by landscaping and  
 2-8 developing certain areas in the district, which are necessary for  
 2-9 the restoration, preservation, and enhancement of scenic and  
 2-10 aesthetic beauty.  
 2-11 (e) Pedestrian ways along or across a street, whether at  
 2-12 grade or above or below the surface, and street lighting, street  
 2-13 landscaping, parking, and street art objects are parts of and  
 2-14 necessary components of a street and are considered to be an  
 2-15 improvement project that includes a street or road improvement.  
 2-16 (f) The district will not act as the agent or  
 2-17 instrumentality of any private interest even though the district  
 2-18 will benefit many private interests as well as the public.  
 2-19 Sec. 3894.005. DISTRICT TERRITORY. (a) The district is  
 2-20 composed of the territory described by Section 2 of the Act creating  
 2-21 this chapter, as that territory may have been modified under  
 2-22 Section 3894.109 or other law.  
 2-23 (b) The boundaries and field notes of the district contained  
 2-24 in Section 2 of the Act creating this chapter form a closure. A  
 2-25 mistake in the field notes of the district contained in Section 2 of  
 2-26 the Act creating this chapter or in copying the field notes in the  
 2-27 legislative process does not in any way affect the district's:  
 2-28 (1) organization, existence, or validity;  
 2-29 (2) right to contract, including the right to issue  
 2-30 any type of bond or other obligation for a purpose for which the  
 2-31 district is created;  
 2-32 (3) right to impose or collect an assessment, tax, or  
 2-33 any other revenue; or  
 2-34 (4) legality or operation.  
 2-35 Sec. 3894.006. ELIGIBILITY FOR REINVESTMENT OR ENTERPRISE  
 2-36 ZONES. (a) All or any part of the area of the district is  
 2-37 eligible, regardless of other statutory criteria, to be included  
 2-38 in:  
 2-39 (1) a tax increment reinvestment zone created by the  
 2-40 city under Chapter 311, Tax Code; or  
 2-41 (2) a tax abatement reinvestment zone created by the  
 2-42 city under Chapter 312, Tax Code.  
 2-43 (b) All or any part of the area of the district is eligible  
 2-44 to be nominated for inclusion in an enterprise zone by the city  
 2-45 under Chapter 2303, Government Code.  
 2-46 Sec. 3894.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
 2-47 DISTRICTS LAW. Except as otherwise provided by this chapter,  
 2-48 Chapter 375, Local Government Code, applies to the district.  
 2-49 Sec. 3894.008. LIBERAL CONSTRUCTION OF CHAPTER. This  
 2-50 chapter shall be liberally construed in conformity with the  
 2-51 findings and purposes stated in this chapter.  
 2-52 [Sections 3894.009-3894.050 reserved for expansion]  
 2-53 SUBCHAPTER B. BOARD OF DIRECTORS  
 2-54 Sec. 3894.051. BOARD OF DIRECTORS. The district is  
 2-55 governed by a board of five directors appointed under Section  
 2-56 3894.052 and three directors serving ex officio under Section  
 2-57 3894.053.  
 2-58 Sec. 3894.052. APPOINTMENT OF DIRECTORS; TERMS. (a) The  
 2-59 mayor and governing body of the city shall appoint voting  
 2-60 directors. A person is appointed if a majority of the members of  
 2-61 the governing body, including the mayor, vote to appoint that  
 2-62 person. A member of the governing body of the city may not be  
 2-63 appointed to the board.  
 2-64 (b) Section 375.063, Local Government Code, does not apply  
 2-65 to the district.  
 2-66 (c) The appointed directors serve staggered terms of four  
 2-67 years, with two or three directors' terms expiring June 1 of each  
 2-68 odd-numbered year.  
 2-69 (d) A person may not be appointed to the board if the

3-1 appointment of that person would result in fewer than three of the  
3-2 directors residing in the city.

3-3 (e) The governing body of the city shall appoint a director  
3-4 to fill a vacancy that occurs on the board.

3-5 (f) District directors are public officials entitled to  
3-6 governmental immunity for their official actions.

3-7 Sec. 3894.053. NONVOTING DIRECTORS. (a) The following  
3-8 persons serve as nonvoting ex officio directors:

3-9 (1) the manager of the city;

3-10 (2) the financial director of the city; and

3-11 (3) the planning director of the city.

3-12 (b) If an office described by Subsection (a) is renamed,  
3-13 changed, or abolished, the governing body of the city may appoint  
3-14 another city officer or employee who performs duties comparable to  
3-15 those performed by the officer described by Subsection (a).

3-16 Sec. 3894.054. CONFLICTS OF INTEREST. (a) Except as  
3-17 provided by Section 3894.053 or this section:

3-18 (1) a director may participate in all board votes and  
3-19 decisions; and

3-20 (2) Chapter 171, Local Government Code, governs  
3-21 conflicts of interest of board members.

3-22 (b) A director who has a beneficial interest in a business  
3-23 entity that will receive a pecuniary benefit from an action of the  
3-24 board may participate in discussion and vote on that action if a  
3-25 majority of the board has a similar interest in the same action or  
3-26 if all other similar business entities in the district will receive  
3-27 a similar pecuniary benefit.

3-28 (c) A director who is also an officer or employee of a public  
3-29 entity may not participate in a discussion of or vote on a matter  
3-30 regarding a contract with that same public entity.

3-31 Sec. 3894.055. DIRECTOR'S OATH OR AFFIRMATION. A  
3-32 director's oath or affirmation of office shall be filed with the  
3-33 district and the district shall retain the oath or affirmation in  
3-34 the district records.

3-35 Sec. 3894.056. OFFICERS. The board shall elect from among  
3-36 the directors a chair, vice chair, and secretary.

3-37 Sec. 3894.057. COMPENSATION OF DIRECTORS; REIMBURSEMENT OF  
3-38 EXPENSES. A director is not entitled to compensation for service on  
3-39 the board but is entitled to be reimbursed for necessary expenses  
3-40 incurred in carrying out the duties and responsibilities of a  
3-41 director.

3-42 Sec. 3894.058. INITIAL DIRECTORS. (a) The initial board  
3-43 consists of the following directors:

3-44 (1) \_\_\_\_\_;

3-45 (2) \_\_\_\_\_;

3-46 (3) \_\_\_\_\_;

3-47 (4) \_\_\_\_\_; and

3-48 (5) \_\_\_\_\_.

3-49 (b) Of the initial directors, the terms of directors  
3-50 appointed for positions 1 and 2 expire June 1, 2013, and the terms  
3-51 of directors appointed for positions 3 through 5 expire June 1,  
3-52 2015.

3-53 (c) This section expires September 1, 2015.

3-54 Sec. 3894.059. QUORUM. For purposes of determining whether  
3-55 a quorum of the board is present, the following are not counted:

3-56 (1) a board position vacant for any reason, including  
3-57 death, resignation, or disqualification;

3-58 (2) a director who is abstaining from participation in  
3-59 a vote because of a conflict of interest; or

3-60 (3) a nonvoting director.

3-61 [Sections 3894.060-3894.100 reserved for expansion]

3-62 SUBCHAPTER C. POWERS AND DUTIES

3-63 Sec. 3894.101. GENERAL POWERS AND DUTIES. The district has  
3-64 the powers and duties provided by:

3-65 (1) the general laws relating to conservation and  
3-66 reclamation districts created under Section 59, Article XVI, Texas  
3-67 Constitution, including Chapters 49 and 54, Water Code;

3-68 (2) the general laws relating to road districts and  
3-69 road utility districts created under Section 52(b), Article III,

4-1 Texas Constitution, including Chapter 441, Transportation Code;  
4-2 and  
4-3 (3) Chapter 375, Local Government Code.  
4-4 Sec. 3894.102. IMPROVEMENT PROJECTS. (a) The district may  
4-5 provide, or it may enter into contracts with a governmental or  
4-6 private entity to provide, the following types of improvement  
4-7 projects or activities in support of or incidental to those  
4-8 projects:  
4-9 (1) a supply and distribution facility or system to  
4-10 provide potable and city-approved nonpotable water to the residents  
4-11 and businesses of the district, including a wastewater collection  
4-12 facility;  
4-13 (2) a paved road or street, inside and outside the  
4-14 district, to the extent authorized by Section 52, Article III,  
4-15 Texas Constitution;  
4-16 (3) the planning, design, construction, improvement,  
4-17 and maintenance of:  
4-18 (A) landscaping;  
4-19 (B) highway right-of-way or transit corridor  
4-20 beautification and improvement;  
4-21 (C) lighting, banners, and signs;  
4-22 (D) a street or sidewalk;  
4-23 (E) a hiking and cycling path or trail;  
4-24 (F) a pedestrian walkway, skywalk, crosswalk, or  
4-25 tunnel;  
4-26 (G) a park, lake, garden, recreational facility,  
4-27 sports facility, open space, scenic area, or related exhibit or  
4-28 preserve;  
4-29 (H) a fountain, plaza, or pedestrian mall; or  
4-30 (I) a drainage or storm-water detention  
4-31 improvement;  
4-32 (4) protection and improvement of the quality of storm  
4-33 water that flows through the district;  
4-34 (5) the planning, design, construction, improvement,  
4-35 maintenance, and operation of:  
4-36 (A) a water or sewer facility;  
4-37 (B) an off-street parking facility or heliport;  
4-38 or  
4-39 (C) alternative power generation facilities,  
4-40 including solar, geothermal, and wind;  
4-41 (6) the planning and acquisition of:  
4-42 (A) public art and sculpture and related exhibits  
4-43 and facilities; or  
4-44 (B) an educational and cultural exhibit or  
4-45 facility;  
4-46 (7) the planning, design, construction, acquisition,  
4-47 lease, rental, improvement, maintenance, installation, and  
4-48 management of and provision of furnishings for a facility for:  
4-49 (A) a conference, convention, or exhibition;  
4-50 (B) a manufacturer, consumer, or trade show;  
4-51 (C) a civic, community, or institutional event;  
4-52 or  
4-53 (D) an exhibit, display, attraction, special  
4-54 event, or seasonal or cultural celebration or holiday;  
4-55 (8) the removal, razing, demolition, or clearing of  
4-56 land or improvements in connection with an improvement project;  
4-57 (9) the acquisition and improvement of land or other  
4-58 property for the mitigation of the environmental effects of an  
4-59 improvement project;  
4-60 (10) the acquisition of property or an interest in  
4-61 property in connection with an authorized improvement project;  
4-62 (11) a special or supplemental service for the  
4-63 improvement and promotion of the district or an area adjacent to the  
4-64 district or for the protection of public health and safety in or  
4-65 adjacent to the district, including:  
4-66 (A) advertising;  
4-67 (B) promotion;  
4-68 (C) tourism;  
4-69 (D) health and sanitation;

5-1                    (E) public safety;  
 5-2                    (F) security;  
 5-3                    (G) fire protection or emergency medical  
 5-4 services;  
 5-5                    (H) business recruitment;  
 5-6                    (I) development;  
 5-7                    (J) elimination of traffic congestion; and  
 5-8                    (K) recreational, educational, or cultural  
 5-9 improvements, enhancements, and services; or  
 5-10                    (12) any similar public improvement, facility, or  
 5-11 service.  
 5-12                    (b) The district may not undertake an improvement project  
 5-13 under this section unless the board determines the project to be  
 5-14 necessary to accomplish a public purpose of the district.  
 5-15                    (c) An improvement project must comply with any applicable  
 5-16 city requirements, including codes and ordinances.  
 5-17                    (d) The district may not provide, conduct, or authorize any  
 5-18 improvement project on the city streets, highways, rights-of-way,  
 5-19 or easements without the consent of the governing body of the city.  
 5-20                    (e) The district shall immediately comply with any city  
 5-21 ordinance, order, or resolution that:  
 5-22                    (1) requires the district to transfer to the city the  
 5-23 title to all or any portion of an improvement project; or  
 5-24                    (2) authorizes the district to own, encumber,  
 5-25 maintain, and operate an improvement project, subject to the right  
 5-26 of the city to order a conveyance of the project to the city on a  
 5-27 date determined by the city.  
 5-28                    (f) For the purposes of this section, planning, design,  
 5-29 construction, improvement, and maintenance of a lake include work  
 5-30 done for drainage, reclamation, or recreation.  
 5-31                    Sec. 3894.103. DEVELOPMENT CORPORATION POWERS. The  
 5-32 district, using money available to the district, may exercise the  
 5-33 powers given to a development corporation under Chapter 505, Local  
 5-34 Government Code, including the power to own, operate, acquire,  
 5-35 construct, lease, improve, or maintain a project under that  
 5-36 chapter.  
 5-37                    Sec. 3894.104. GENERAL POWERS REGARDING CONTRACTS.  
 5-38 (a) The district may:  
 5-39                    (1) contract with any person to accomplish any  
 5-40 district purpose, including a contract for:  
 5-41                    (A) the payment, repayment, or reimbursement of  
 5-42 costs incurred by that person on behalf of the district, including  
 5-43 all or part of the costs of an improvement project and interest on  
 5-44 the reimbursed cost; or  
 5-45                    (B) the use, occupancy, lease, rental,  
 5-46 operation, maintenance, or management of all or part of a proposed  
 5-47 or existing improvement project; and  
 5-48                    (2) apply for and contract with any person to receive,  
 5-49 administer, and perform a duty or obligation of the district under a  
 5-50 federal, state, local, or private gift, grant, loan, conveyance,  
 5-51 transfer, bequest, or other financial assistance arrangement  
 5-52 relating to the investigation, planning, analysis, study, design,  
 5-53 acquisition, construction, improvement, completion,  
 5-54 implementation, or operation by the district or others of a  
 5-55 proposed or existing improvement project.  
 5-56                    (b) A contract the district enters into to carry out a  
 5-57 purpose of this chapter may be on any terms and for any period the  
 5-58 board determines, including a negotiable or nonnegotiable note or  
 5-59 warrant payable to the city, Dallas County, and any other person.  
 5-60                    (c) Any person may contract with the district to carry out  
 5-61 the purposes of this chapter without further statutory or other  
 5-62 authorization.  
 5-63                    (d) A contract payable from ad valorem taxes for a period  
 5-64 longer than one year must be approved by the governing body of the  
 5-65 city.  
 5-66                    Sec. 3894.105. COMPETITIVE BIDDING. Section 375.221, Local  
 5-67 Government Code, applies only to a district contract that has a  
 5-68 value of more than \$50,000.  
 5-69                    Sec. 3894.106. ECONOMIC DEVELOPMENT. (a) The district may

6-1 engage in activities that accomplish the economic development  
6-2 purposes of the district.  
6-3 (b) The district may establish and provide for the  
6-4 administration of one or more programs to promote state or local  
6-5 economic development and to stimulate business and commercial  
6-6 activity in the district, including programs to:  
6-7 (1) make loans and grants of public money; and  
6-8 (2) provide district personnel and services.  
6-9 (c) The district may create economic development programs  
6-10 and exercise the economic development powers that:  
6-11 (1) Chapter 380, Local Government Code, provides to a  
6-12 municipality; and  
6-13 (2) Subchapter A, Chapter 1509, Government Code,  
6-14 provides to a municipality.  
6-15 Sec. 3894.107. RULES; ENFORCEMENT. (a) The district may  
6-16 adopt rules:  
6-17 (1) to administer or operate the district;  
6-18 (2) for the use, enjoyment, availability, protection,  
6-19 security, and maintenance of the district's property and  
6-20 facilities; or  
6-21 (3) to provide for public safety and security in the  
6-22 district.  
6-23 (b) The district may enforce its rules by injunctive relief.  
6-24 (c) To the extent a district rule conflicts with a city rule  
6-25 or order, the city rule or order controls.  
6-26 Sec. 3894.108. NAME CHANGE. The board by resolution may  
6-27 change the district's name. The board shall give written notice of  
6-28 the change to the city.  
6-29 Sec. 3894.109. ADDING OR REMOVING TERRITORY. The board may  
6-30 add or remove territory under Subchapter J, Chapter 49, and Section  
6-31 54.016, Water Code, except that:  
6-32 (1) the addition or removal of the territory must be  
6-33 approved by:  
6-34 (A) the governing body of the city; and  
6-35 (B) the owners of the territory being added or  
6-36 removed;  
6-37 (2) a reference to a tax in Subchapter J, Chapter 49,  
6-38 or Section 54.016, Water Code, means an ad valorem tax; and  
6-39 (3) territory may not be removed from the district if  
6-40 bonds or other obligations of the district payable wholly or partly  
6-41 from ad valorem taxes on the territory are outstanding.  
6-42 Sec. 3894.110. NO EMINENT DOMAIN POWER. The district may  
6-43 not exercise the power of eminent domain.  
6-44 Sec. 3894.111. NO TOLL ROADS. The district may not  
6-45 construct, acquire, maintain, or operate a toll road.  
6-46 Sec. 3894.112. DISTRICT EMPLOYEES; TERMS OF EMPLOYMENT;  
6-47 COMPENSATION. The board may employ and establish the terms of  
6-48 employment and compensation of:  
6-49 (1) an executive director or general manager; or  
6-50 (2) any other district employee the board considers  
6-51 necessary.  
6-52 [Sections 3894.113-3894.150 reserved for expansion]  
6-53 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
6-54 Sec. 3894.151. GENERAL POWERS REGARDING FINANCIAL MATTERS.  
6-55 Except as provided by Section 3894.161, the district may:  
6-56 (1) impose an ad valorem tax on all taxable property in  
6-57 the district, including industrial, commercial, and residential  
6-58 property, to pay for an improvement project;  
6-59 (2) impose an assessment on property in the district  
6-60 in the manner provided for:  
6-61 (A) a district under Subchapter F, Chapter 375,  
6-62 Local Government Code; or  
6-63 (B) a municipality or county under Subchapter A,  
6-64 Chapter 372, Local Government Code;  
6-65 (3) provide or secure the payment or repayment of the  
6-66 costs and expenses of the establishment, administration, and  
6-67 operation of the district and the district's costs or share of the  
6-68 costs or revenue of an improvement project or district contractual  
6-69 obligation or indebtedness by or through:

7-1 (A) a lease, installment purchase contract, or  
7-2 other agreement with any person;  
7-3 (B) the imposition of a tax, assessment, user  
7-4 fee, concession fee, or rental charge; or  
7-5 (C) any other revenue or resource of the  
7-6 district;  
7-7 (4) establish user charges related to the operation of  
7-8 storm-water facilities, including the regulation of storm water for  
7-9 the protection of water quality in the district;  
7-10 (5) establish user charges for the use of nonpotable  
7-11 water for irrigation purposes, subject to the approval of the  
7-12 governing body of the city;  
7-13 (6) undertake separately or jointly with other  
7-14 persons, including the city or Dallas County, all or part of the  
7-15 cost of an improvement project, including an improvement project:  
7-16 (A) for improving, enhancing, and supporting  
7-17 public safety and security, fire protection and emergency medical  
7-18 services, and law enforcement in and adjacent to the district; or  
7-19 (B) that confers a general benefit on the entire  
7-20 district or a special benefit on a definable part of the district;  
7-21 and  
7-22 (7) enter into a tax abatement agreement in accordance  
7-23 with the general laws of this state authorizing and applicable to  
7-24 tax abatement agreements by municipalities.  
7-25 Sec. 3894.152. BORROWING MONEY. The district may borrow  
7-26 money for a district purpose by issuing or executing bonds, notes,  
7-27 credit agreements, or other obligations of any kind found by the  
7-28 board to be necessary or appropriate for the district purpose. The  
7-29 bond, note, credit agreement, or other obligation must be secured  
7-30 by and payable from ad valorem taxes, assessments, or other  
7-31 district revenue.  
7-32 Sec. 3894.153. IMPACT FEES AND ASSESSMENTS; EXEMPTION.  
7-33 (a) The district may impose an impact fee or assessment on  
7-34 property in the district, including an impact fee or assessment on  
7-35 residential or commercial property, only in the manner provided by  
7-36 Subchapter A, Chapter 372, or Subchapter F, Chapter 375, Local  
7-37 Government Code, for a municipality, county, or public improvement  
7-38 district, according to the benefit received by the property.  
7-39 (b) An impact fee for residential property must be for the  
7-40 limited purpose of providing capital funding for:  
7-41 (1) public water and wastewater facilities;  
7-42 (2) drainage and storm-water facilities; and  
7-43 (3) streets and alleys.  
7-44 (c) An assessment, a reassessment, or an assessment  
7-45 resulting from an addition to or correction of the assessment roll  
7-46 by the district, penalties and interest on an assessment or  
7-47 reassessment, or an expense of collection of an assessment,  
7-48 including reasonable attorney's fees, incurred by the district:  
7-49 (1) is a first and prior lien against the property  
7-50 assessed; and  
7-51 (2) is superior to any other lien or claim other than a  
7-52 lien or claim for county, school district, or municipal ad valorem  
7-53 taxes.  
7-54 (d) The board may make a correction to or deletion from the  
7-55 assessment roll that does not increase the amount of assessment of  
7-56 any parcel of land without providing notice and holding a hearing in  
7-57 the manner required for additional assessments.  
7-58 (e) The district may not impose an impact fee on the  
7-59 property, including equipment and facilities, of a public utility  
7-60 provider in the district.  
7-61 Sec. 3894.154. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.  
7-62 Section 375.161, Local Government Code, does not apply to the  
7-63 district.  
7-64 Sec. 3894.155. MAINTENANCE AND OPERATION TAX; ELECTION.  
7-65 (a) Except as provided by Section 3894.161, the district may  
7-66 impose a tax for maintenance and operation purposes, including for:  
7-67 (1) planning, constructing, acquiring, maintaining,  
7-68 repairing, and operating all improvement projects, including land,  
7-69 plants, works, facilities, improvements, appliances, and equipment

8-1 of the district; and

8-2 (2) paying costs of services, engineering and legal  
8-3 fees, and organization and administrative expenses.

8-4 (b) The district may not impose a maintenance and operation  
8-5 tax unless the maximum tax rate is approved by the governing body of  
8-6 the city and a majority of the district voters voting at an election  
8-7 held for that purpose. If the maximum tax rate is approved, the  
8-8 board may impose the tax at any rate that does not exceed the  
8-9 approved rate.

8-10 (c) A maintenance and operation tax election may be held at  
8-11 the same time and in conjunction with any other district election.  
8-12 The election may be called by a separate election order or as part  
8-13 of any other election order.

8-14 (d) The proposition in a maintenance and operation tax  
8-15 election may be for a specific maximum rate.

8-16 Sec. 3894.156. USE OF SURPLUS MAINTENANCE AND OPERATION  
8-17 MONEY. If the district has surplus maintenance and operation tax  
8-18 money that is not needed for the purposes for which it was  
8-19 collected, the money may be used for any authorized purpose.

8-20 Sec. 3894.157. BOND ISSUANCE PLAN REQUIRED BEFORE ISSUING  
8-21 BONDS. The district may not issue bonds until the governing body of  
8-22 the city approves a bond issuance plan authorizing and setting  
8-23 forth the limitations on the issuance of the bonds.

8-24 Sec. 3894.158. BONDS AND OTHER OBLIGATIONS; MUNICIPAL  
8-25 APPROVAL. (a) Except as provided by Sections 3894.157 and  
8-26 3894.161, the district may issue, by competitive bid or negotiated  
8-27 sale, bonds, notes, or other obligations payable wholly or partly  
8-28 from ad valorem taxes or assessments in the manner provided by  
8-29 Subchapter A, Chapter 372, or Subchapter J, Chapter 375, Local  
8-30 Government Code.

8-31 (b) In exercising the district's borrowing power, the  
8-32 district may issue a bond or other obligation in the form of a bond,  
8-33 note, certificate of participation or other instrument evidencing a  
8-34 proportionate interest in payments to be made by the district, or  
8-35 other type of obligation.

8-36 (c) In addition to the sources of money described by  
8-37 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local  
8-38 Government Code, district bonds may be secured and made payable  
8-39 wholly or partly by a pledge of any part of the net proceeds the  
8-40 district receives from any other district revenue.

8-41 Sec. 3894.159. BOND MATURITY. Bonds may mature not more  
8-42 than 40 years from their date of issue.

8-43 Sec. 3894.160. TAXES FOR BONDS AND OTHER OBLIGATIONS.

8-44 (a) At the time bonds or other obligations payable wholly or  
8-45 partly from ad valorem taxes are issued:

8-46 (1) the board shall impose a continuing direct annual  
8-47 ad valorem tax, without limit as to rate or amount, for each year  
8-48 that all or part of the bonds are outstanding; and

8-49 (2) the district annually shall impose an ad valorem  
8-50 tax on all taxable property in the district in an amount sufficient  
8-51 to:

8-52 (A) pay the interest on the bonds or other  
8-53 obligations as the interest becomes due;

8-54 (B) create a sinking fund for the payment of the  
8-55 principal of the bonds or other obligations when due or the  
8-56 redemption price at any earlier required redemption date; and

8-57 (C) pay the expenses of imposing the taxes.

8-58 (b) Bonds or other obligations that are secured by and  
8-59 payable from ad valorem taxes may not be issued unless the bonds and  
8-60 the imposition of the taxes are approved by:

8-61 (1) a majority of the district voters voting at an  
8-62 election held for that purpose; and

8-63 (2) the governing body of the city.

8-64 (c) The district shall hold an election required by this  
8-65 section in the manner provided by Chapter 54, Water Code.

8-66 Sec. 3894.161. PROJECT DEVELOPMENT AGREEMENT REQUIRED TO  
8-67 IMPOSE TAXES OR BORROW MONEY, INCLUDING BONDS. Before the district  
8-68 may issue bonds, impose taxes, or borrow money, the district and the  
8-69 city must negotiate and execute a mutually approved and accepted



9-1 interlocal project development agreement regarding the development  
9-2 plans and rules for:

- 9-3 (1) the development and operation of the district; and
- 9-4 (2) the financing of improvement projects.

9-5 Sec. 3894.162. CITY NOT REQUIRED TO PAY DISTRICT  
9-6 OBLIGATIONS. Except as provided by Section 375.263, Local  
9-7 Government Code, the city is not required to pay a bond, note, or  
9-8 other obligation of the district.

9-9 [Sections 3894.163-3894.200 reserved for expansion]

9-10 SUBCHAPTER E. DISSOLUTION

9-11 Sec. 3894.201. DISSOLUTION BY CITY ORDINANCE. (a) If the  
9-12 city by ordinance adopts by a two-thirds vote of its governing body  
9-13 an ordinance to dissolve the district, the district is dissolved.

9-14 (b) The district may not be dissolved until the district's  
9-15 outstanding indebtedness or contractual obligations payable from  
9-16 ad valorem taxes have been repaid or discharged.

9-17 (c) The district may not be dissolved until the agreement  
9-18 under Section 3894.161 has been executed and the district's  
9-19 performance under the agreement has been fulfilled, including any  
9-20 right or obligation the district has to reimburse a developer or  
9-21 owner for the costs of improvement projects.

9-22 Sec. 3894.202. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

9-23 (a) If the dissolved district has bonds or other obligations  
9-24 outstanding secured by and payable from assessments or other  
9-25 revenue, other than ad valorem taxes, the city succeeds to the  
9-26 rights and obligations of the district regarding enforcement and  
9-27 collection of the assessments or other revenue.

9-28 (b) If the district is dissolved, the city has and may  
9-29 exercise all district powers to enforce and collect the assessments  
9-30 or other revenue to pay:

9-31 (1) the bonds or other obligations when due and  
9-32 payable according to their terms; or

9-33 (2) special revenue or assessment bonds or other  
9-34 obligations issued by the city to refund the outstanding bonds or  
9-35 obligations.

9-36 Sec. 3894.203. ASSUMPTION OF ASSETS AND LIABILITIES.

9-37 (a) The district may not be dissolved by the city unless the city  
9-38 assumes the obligations of the district, including any bonds or  
9-39 other indebtedness payable from assessments or other district  
9-40 revenue.

9-41 (b) If the city dissolves the district, the board shall  
9-42 transfer ownership of all district property to the city.

9-43 SECTION 2. The Rowlett Downtown Management District  
9-44 initially includes all territory contained in the following area:

9-45 BEING approximately 19 acres of land located in the Thomas  
9-46 Payne Survey, Abstract No. 1165, and approximately 19 acres of land  
9-47 located in the William Crabtree Survey, Abstract No. 347, City of  
9-48 Rowlett, Dallas County, Texas. Said 38 combined acres of land being  
9-49 more particularly described by metes and bounds as follows:

9-50 BEGINNING at a 1/2" iron pipe found in the South boundary line  
9-51 of said Payne Survey, and the North boundary line of said Crabtree  
9-52 Survey, at the point of intersection of said Survey line with the  
9-53 South right-of-way line of The Dallas Area Rapid Transit railroad,  
9-54 and said Point Of Beginning also being the West corner of the tract  
9-55 of land conveyed to the City of Rowlett by the deed recorded in  
9-56 Volume 2004067, page 04282 of the Deed Records of Dallas County,  
9-57 Texas;

9-58 THENCE Northeasterly, approximately 166 feet, along the  
9-59 South right-of-way line of said Dallas Area Rapid Transit railroad  
9-60 to a point at the intersection of the West right-of-way line of  
9-61 Commerce Street;

9-62 THENCE Northeasterly, approximately 114 feet, crossing said  
9-63 Dallas Area Rapid Transit railroad to a point in the North  
9-64 right-of-way line of said railroad, lying at the most Southerly  
9-65 Southeast corner of Lot 5, Block 5, Rowlett Business Park, No. 2, an  
9-66 addition to the City of Rowlett, Dallas County, Texas, according to  
9-67 the plat recorded in Volume 82015, page 1127 of the Deed Records of  
9-68 Dallas County, Texas;

9-69 THENCE Northerly, approximately 155 feet, along the most

10-1 Southerly East boundary line of said Lot 5, and the West boundary  
 10-2 line of the tract of land conveyed to the City of Rowlett by the deed  
 10-3 recorded in Volume 99034, page 4307 of the Deed Records of Dallas  
 10-4 County, Texas, to a point at the Northwest corner of said City of  
 10-5 Rowlett tract, being the Southwest corner of the tract of land  
 10-6 conveyed to the City of Rowlett by the deed recorded in Volume  
 10-7 99083, page 2213 of the Deed Records of Dallas County, Texas;

10-8 THENCE Northerly, approximately 285 feet, along the West  
 10-9 boundary line of said City of Rowlett tract recorded in Volume  
 10-10 99083, page 2213 of the Deed Records of Dallas County, Texas, to a  
 10-11 point in the North right-of-way line of Melcer Drive;

10-12 THENCE Easterly, approximately 837 feet, along the North  
 10-13 right-of-way line of said Melcer Drive, to a point in the West  
 10-14 right-of-way line of Martin Drive;

10-15 THENCE Northerly, approximately 820 feet, along the West  
 10-16 right-of-way line of said Martin Drive, to a point in the South  
 10-17 right-of-way line of Lakeview Parkway;

10-18 THENCE Easterly, approximately 195 feet, along the South  
 10-19 right-of-way line of said Lakeview Parkway, to a point at the  
 10-20 Northeast corner of Lot 1, Block 1, Carlisle Subdivision, an  
 10-21 addition to the City of Rowlett, Dallas County, Texas, according to  
 10-22 the plat recorded in Volume 85081, page 1854 of the Deed Records of  
 10-23 Dallas County, Texas;

10-24 THENCE Southerly, approximately 201 feet along the East  
 10-25 boundary line of said Lot 1, Block 1, Carlisle Subdivision, to a  
 10-26 point at the Southeast corner of said Lot 1;

10-27 THENCE Westerly, approximately 145 feet along the South  
 10-28 boundary line of said Lot 1, Block 1, Carlisle Subdivision, to a  
 10-29 point in the East right-of-way line of aforesaid Martin Drive;

10-30 THENCE Southerly, approximately 217 feet, along the East  
 10-31 right-of-way line of said Martin Drive, to a point in the North  
 10-32 right-of-way line of Industrial Street;

10-33 THENCE Easterly, approximately 1,251 feet along the North  
 10-34 right-of-way line of said Industrial Street, being the South  
 10-35 boundary line of Block 3, of aforesaid Rowlett Business Park, No. 2,  
 10-36 to a point at the most Easterly Southeast corner of Lot 11 of said  
 10-37 Block 3, Rowlett Business Park No. 2;

10-38 THENCE Southerly, approximately 544 feet, crossing said  
 10-39 Industrial Street, and running along the East boundary line of Lot  
 10-40 24, of Block 5 of said Rowlett Business Park No. 2, to a point at the  
 10-41 Southeast corner of said Lot 24, lying in the North right-of-way  
 10-42 line of aforesaid Dallas Area Rapid Transit railroad;

10-43 THENCE Southwesterly, approximately 453 feet, along the  
 10-44 North right-of-way line of said Dallas Area Rapid Transit railroad,  
 10-45 and the South boundary line of said Block 5, Rowlett Business Park  
 10-46 No. 2, to a point at the Southwest corner of Lot 22 of said Block 5,  
 10-47 Rowlett Business Park No. 2;

10-48 THENCE Northerly, approximately 522 feet, along the West  
 10-49 boundary line of said Lot 22, Block 5, Rowlett Business Park No. 2,  
 10-50 to a point at the Northwest corner of said Lot 22, lying in the South  
 10-51 right-of-way line of aforesaid Industrial Street;

10-52 THENCE Westerly, approximately 420 feet, along the South  
 10-53 right-of-way line of said Industrial Street, and the North boundary  
 10-54 line of said Block 5, Rowlett Business Park No. 2, to a point at the  
 10-55 Northeast corner of Lot 18 of said Block 5, Rowlett Business Park  
 10-56 No. 2;

10-57 THENCE Southerly, approximately 625 feet, along the East  
 10-58 boundary line of said Lot 18, Block 5, Rowlett Business Park No. 2,  
 10-59 to a point at the Southeast corner of said Lot 18, lying in the North  
 10-60 right-of-way line of aforesaid Dallas Area Rapid Transit railroad;

10-61 THENCE along the North right-of-way line of said Dallas Area  
 10-62 Rapid Transit railroad as follows:

10-63 1. Southwesterly, approximately 377 feet, along the  
 10-64 South boundary line of Lot 14, and 18, of said Block 5,  
 10-65 Rowlett Business Park No. 2, to a point at the Southwest  
 10-66 corner of said Lot 14, lying in the East boundary line of Lot  
 10-67 13, of said Block 5;

10-68 2. Southeasterly, approximately 25 feet, along the  
 10-69 East boundary line of said Lot 13, Block 5, to a point at the

11-1 Southeast corner of said Lot 13;  
11-2 3. Southwesterly, approximately 343 feet, along the  
11-3 South boundary line of Lots 11, 12, and 13 of said Block 5,  
11-4 Rowlett Business Park No. 2, to a point at the Southwest  
11-5 corner of said Lot 11;  
11-6 THENCE Northwesterly, approximately 155 feet, along the West  
11-7 boundary line of said Lot 11, Block 5, Rowlett Business Park No. 2,  
11-8 to a point in the most Northerly South boundary line of said Lot 11;  
11-9 THENCE Southwesterly, approximately 11 feet, along the most  
11-10 Northerly South boundary line of said Lot 11, to a point at the most  
11-11 Westerly Southwest corner of said Lot 11;  
11-12 THENCE Northerly, approximately 157 feet, along the West  
11-13 boundary line of said Lot 11, to a point at the Northwest corner of  
11-14 said Lot 11, lying in the South right-of-way line of aforesaid  
11-15 Melcer Drive;  
11-16 THENCE Westerly, approximately 500 feet, along the South  
11-17 right-of-way line of said Melcer Drive, and the most Southerly,  
11-18 North boundary line of said Block 5, Rowlett Business Park No. 2, to  
11-19 a point at the Northwest corner of Lot 6 of said Block 5, being the  
11-20 Northeast corner of the aforesaid tract of land conveyed to the City  
11-21 of Rowlett by the deed recorded in Volume 99083, page 2213 of the  
11-22 Deed Records of Dallas County, Texas;  
11-23 THENCE Southerly, approximately 226 feet, along the East  
11-24 boundary line of said City of Rowlett tract, and the West boundary  
11-25 line of said Lot 6, to a point at the Southwest corner of said Lot 6,  
11-26 and the Southeast corner of Lot 5, of said Block 5, Rowlett Business  
11-27 Park No. 2;  
11-28 THENCE Southwesterly, approximately 11 feet, along the South  
11-29 boundary line of said Lot 5, to a point at the Northeast corner of  
11-30 the aforesaid tract of land conveyed to the City of Rowlett by the  
11-31 deed recorded in Volume 99034, page 4307 of the Deed Records of  
11-32 Dallas County, Texas;  
11-33 THENCE Southerly, approximately 169 feet, along the East  
11-34 boundary line of said City of Rowlett tract recorded in Volume  
11-35 99034, page 4307, and continuing to a point;  
11-36 THENCE Southwesterly, approximately 97 feet, crossing the  
11-37 aforesaid Dallas Area Rapid Transit railroad, to a point in the  
11-38 South right-of-way line of said railroad, being the North boundary  
11-39 line of the aforesaid tract of land conveyed to the City of Rowlett  
11-40 by the deed recorded in Volume 2004067, page 04282 of the Deed  
11-41 Records of Dallas County, Texas;  
11-42 THENCE Northeasterly, approximately 362 feet, along the  
11-43 South right-of-way line of said Dallas Area Rapid Transit railroad,  
11-44 and the North boundary line of said City of Rowlett tract recorded  
11-45 in Volume 2004067, page 04282, to a point at the Northeast corner of  
11-46 said City of Rowlett tract;  
11-47 THENCE Southeasterly, approximately 99 feet, along the East  
11-48 boundary line of said City of Rowlett tract, to a point at the  
11-49 Southeast corner of said City of Rowlett tract, lying in the South  
11-50 boundary line of the tract of land conveyed to Jeffrey D. Mayhall,  
11-51 and wife Camille Mayhall by the deed recorded in Volume 96198, page  
11-52 1273 of the Deed Records of Dallas County, Texas;  
11-53 THENCE Easterly, approximately 190 feet along the South  
11-54 boundary line of said Mayhall tract to a point at the Southeast  
11-55 corner of said Mayhall tract;  
11-56 THENCE Southerly, approximately 10 feet to a point in the  
11-57 North boundary line of Lot 1, Block B, Municipal Complex Addition,  
11-58 to the City of Rowlett, Dallas County, Texas according to the plat  
11-59 recorded in County Clerk's file No. 2006002238027 of the Deed  
11-60 Records of Dallas County, Texas;  
11-61 THENCE Easterly, approximately 51 feet, along the North  
11-62 boundary line of said Lot 1, Block B, Municipal Complex Addition, to  
11-63 a point at the Northeast corner of said Lot 1, Block B;  
11-64 THENCE Southerly, approximately 137 feet, along the East  
11-65 boundary line of said Lot 1, Block B, Municipal Complex Addition, to  
11-66 a point at the Southeast corner of said Lot 1, Block B, lying in the  
11-67 North right-of-way line of Main Street;  
11-68 THENCE Northeasterly, approximately 482 feet, along the  
11-69 North right-of-way line of said Main Street, to a point in the West

12-1 right-of-way line of Skyline Drive;

12-2 THENCE Southerly, approximately 87 feet, crossing said Main  
12-3 Street, to a point at the Northeast corner of Lot 1, Block A,  
12-4 Municipal Complex Addition, to the City of Rowlett, Dallas County,  
12-5 Texas, according to the plat recorded in Volume 95327, page 2810 of  
12-6 the Deed Records of Dallas County, Texas;

12-7 THENCE Southerly, approximately 425 feet, along the East  
12-8 boundary line of said Lot 1, Block B, Municipal Complex Addition,  
12-9 and the West right-of-way line of aforesaid Skyline Drive, to a  
12-10 point at the Southeast corner of said Lot 1, Block A, being the  
12-11 Northeast corner of Lot 1, Block 1, South Ridge Addition, No. 3, and  
12-12 addition to the City of Rowlett, Dallas County, Texas, according to  
12-13 the plat recorded in Volume 69117, page 2087 of the Deed Records of  
12-14 Dallas County, Texas;

12-15 THENCE Westerly, approximately 150 feet, along the North  
12-16 boundary line of said Lot 1, Block 1, South Ridge Addition, No. 3,  
12-17 to a point at the Northwest corner of said Lot 1, Block 1, South  
12-18 Ridge Addition, No. 3;

12-19 THENCE Southerly, approximately 498 feet, along the West  
12-20 boundary line of said Block 1, South Ridge Addition, No. 3, to a  
12-21 point;

12-22 THENCE Westerly, approximately 360 feet, along the North  
12-23 boundary line of Lot 7, Block 1, and Lot 1, Block 6 of said South  
12-24 Ridge Addition, No. 3, to a point;

12-25 THENCE Southerly, approximately 20 feet, to a point at the  
12-26 Northeast corner of Lot 2, Block 6, South Ridge Addition, No. 4, an  
12-27 addition to the City of Rowlett, Dallas County, Texas, according to  
12-28 the plat recorded in Volume 76104, page 1684 of the Deed Records of  
12-29 Dallas County, Texas;

12-30 THENCE Westerly, approximately 185 feet, along the North  
12-31 boundary line of said Lot 2, Block 6, South Ridge Addition, No. 4,  
12-32 to a point in the West right-of-way line of Aspen Drive;

12-33 THENCE Southerly, approximately 32 feet, along the West  
12-34 right-of-way line of said ASPEN DRIVE, to a point at the Northeast  
12-35 corner of Lot 12, Block 7 of said South Ridge Addition, No. 4;

12-36 THENCE Westerly, approximately 150 feet, along the North  
12-37 boundary line of said Lot 12, Block 7, South Ridge Addition, No. 4,  
12-38 to a point at the Northwest corner of said Lot 12, Block 7;

12-39 THENCE Northerly, approximately 740 feet, to a point at the  
12-40 Northwest of Lot 3, Block A, of aforesaid Municipal Complex  
12-41 Addition, to the City of Rowlett, Dallas County, Texas, according  
12-42 to the plat recorded in Volume 95237, page 2810 of the Deed Records  
12-43 of Dallas County, Texas;

12-44 THENCE Easterly, approximately 131 feet, along the most  
12-45 Southerly North boundary line of said Lot 3, Block A, Municipal  
12-46 Complex Addition, to a point;

12-47 THENCE Northerly, approximately 163 feet, along the most  
12-48 Easterly, West boundary line of said Lot 3, Block A, Municipal  
12-49 Complex Addition, to a point at the Northwest corner of said Lot 3,  
12-50 lying in the South right-of-way line of aforesaid Main Street;

12-51 THENCE Southwesterly, approximately 65 feet, along the South  
12-52 right-of-way line of said Main Street, to a point at the Northeast  
12-53 corner of Lot 43, Original Town Of Rowlett, an addition to the City  
12-54 of Rowlett, Dallas County, Texas, according to the plat recorded in  
12-55 Volume 2, page 217 of the Map Records of Dallas County, Texas;

12-56 THENCE Southerly, approximately 90 feet, along the East  
12-57 boundary line of said Lot 43, to a point at the Southeast corner of  
12-58 said Lot 43;

12-59 THENCE Westerly, approximately 50 feet, along the South  
12-60 boundary line of Lot 42, and 43 of said Original Town Of Rowlett, to  
12-61 a point at the Southwest corner of said Lot 42;

12-62 THENCE Northerly, approximately 90 feet, along the West  
12-63 boundary line of said Lot 42, to a point at the Northwest corner of  
12-64 said Lot 42, lying in the South right-of-way of aforesaid Main  
12-65 Street;

12-66 THENCE Westerly, approximately 300 feet, along the South  
12-67 right-of-way line of said Main Street, and the North boundary line  
12-68 of Lots 33, through 41, of said Original Town Of Rowlett, to a point  
12-69 in the West right-of-way line of aforesaid Commerce Street, and the

13-1 East boundary line of Lot 28 of said Original Town Of Rowlett;  
13-2 THENCE Northerly, approximately 262 feet, along the West  
13-3 right-of-way line of said Commerce Street, and the East boundary  
13-4 line of Lots 19, through 28, of said Original Town Of Rowlett, to a  
13-5 point in the North boundary line of aforesaid William Crabtree  
13-6 Survey, and the South boundary line of the aforesaid Thomas Payne  
13-7 Survey;

13-8 THENCE Westerly, approximately 164 feet, along said Survey  
13-9 line to the Point Of Beginning, containing approximately 38 acres  
13-10 of land.

13-11 The foregoing 38 acres description saves and excepts all  
13-12 portions thereof, and contained therein of Lots 7 through 18 of the  
13-13 Original Town of Rowlett, as indicated on the plat recorded in  
13-14 Volume 2, Page 217 of the Map Records of Dallas County, Texas.

13-15 SECTION 3. (a) The legal notice of the intention to  
13-16 introduce this Act, setting forth the general substance of this  
13-17 Act, has been published as provided by law, and the notice and a  
13-18 copy of this Act have been furnished to all persons, agencies,  
13-19 officials, or entities to which they are required to be furnished  
13-20 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
13-21 Government Code.

13-22 (b) The governor, one of the required recipients, has  
13-23 submitted the notice and Act to the Texas Commission on  
13-24 Environmental Quality.

13-25 (c) The Texas Commission on Environmental Quality has filed  
13-26 its recommendations relating to this Act with the governor,  
13-27 lieutenant governor, and speaker of the house of representatives  
13-28 within the required time.

13-29 (d) The general law relating to consent by political  
13-30 subdivisions to the creation of districts with conservation,  
13-31 reclamation, and road powers and the inclusion of land in those  
13-32 districts has been complied with.

13-33 (e) All requirements of the constitution and laws of this  
13-34 state and the rules and procedures of the legislature with respect  
13-35 to the notice, introduction, and passage of this Act have been  
13-36 fulfilled and accomplished.

13-37 SECTION 4. This Act takes effect immediately if it receives  
13-38 a vote of two-thirds of all the members elected to each house, as  
13-39 provided by Section 39, Article III, Texas Constitution. If this  
13-40 Act does not receive the vote necessary for immediate effect, this  
13-41 Act takes effect September 1, 2011.

13-42 \* \* \* \* \*