

By: Gallegos

S.B. No. 900

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

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

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

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

- 2 (1) organization, existence, or validity;
- 3 (2) right to issue any type of bond for a purpose for  
4 which the district is created or to pay the principal of and  
5 interest on the bond;
- 6 (3) right to impose or collect an assessment or tax; or
- 7 (4) legality or operation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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