

AN ACT

relating to the board of directors of the Near Northside Management District and to the district's boundaries and territory.

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

SECTION 1. Section 2, Chapter 358, Acts of the 82nd Legislature, Regular Session, 2011, is amended to read as follows:

Sec. 2. BOUNDARIES. The Near Northside Management District initially includes all the territory contained in the following area:

In Harris County, Texas, the territory enclosed by Loop 610 as the north boundary, Lockwood Dr. as the east boundary, Buffalo Bayou [~~Interstate 10~~] as the south boundary, and Jensen Dr. as the west boundary.

SECTION 2. Subchapter A, Chapter 3905, Special District Local Laws Code, is amended by adding Section 3905.009 to read as follows:

Sec. 3905.009. OVERLAPPING TERRITORY. (a) If territory in the district overlaps with the boundaries of another district created before June 17, 2011, that has the powers of a district created under Chapter 375, Local Government Code, the overlapping territory is excluded from the territory of the district that was created first, regardless of whether the territory overlapped on June 17, 2011.

(b) The exclusion of territory under this section does not

1 diminish or impair the rights of the holders of any outstanding and
2 unpaid bonds, warrants, or other district obligations. The district
3 that was created first shall continue to impose fees, taxes, or
4 assessments, if any, on the excluded territory at the same rate
5 imposed on other territory in the district until the total amount of
6 fees, taxes, or assessments collected from the excluded territory
7 equals its pro rata share of the indebtedness of the district at the
8 time the territory was excluded. All fees, taxes, or assessments
9 collected in the excluded territory by the district that was
10 created first shall be applied to the payment of the excluded
11 territory's pro rata share of indebtedness. The owner of all or part
12 of the excluded territory at any time may pay in full the owner's
13 share of the excluded territory's pro rata share of the
14 indebtedness at the time the territory was excluded.

15 (c) If the district that was created first does not have any
16 outstanding and unpaid bonds, warrants, or other district
17 obligations, but imposes assessments under an assessment plan
18 adopted before May 1, 2013, the district may continue to impose
19 those assessments on the excluded territory at the same rate
20 imposed on other territory in the district to satisfy the
21 requirements of that assessment plan. All assessments collected in
22 the excluded territory by the district that was created first shall
23 be applied to satisfy the requirements of the assessment plan.

24 SECTION 3. Sections 3905.051 and 3905.056, Special District
25 Local Laws Code, are amended to read as follows:

26 Sec. 3905.051. GOVERNING BODY; TERMS. The district is
27 governed by a board of 12 [~~nine~~] directors who serve staggered terms

1 of three years, with four [~~three~~] directors' terms expiring June 1
2 of each year.

3 Sec. 3905.056. INITIAL DIRECTORS. (a) The initial board
4 consists of:

5	Pos. No.	Name of Director
6	1	Ethel Kaye Lee
7	2	Rose Russell
8	3	Michael Ashley
9	4	Dr. Albert Lemon
10	5	Earl White
11	6	Ann Tillis
12	7	John Fields
13	8	Harvey Clemons
14	9	Renee Llorens
15	<u>10</u>	<u>Rosalind Malveaux</u>
16	<u>11</u>	<u>Jeremy Brown</u>
17	<u>12</u>	<u>Jarrett Leland</u>

18 (b) Of the initial directors, the terms of directors serving
19 in positions 1, 2, and 3 expire June 1, 2013, the terms of directors
20 serving in positions 4, 5, [~~and~~] 6, and 10 expire June 1, 2014,
21 [~~and~~] the terms of directors serving in positions 7, 8, [~~and~~] 9, and
22 11 expire June 1, 2015, and the term of the director serving in
23 position 12 expires June 1, 2016.

24 (c) Section 3905.052 does not apply to the initial
25 directors.

26 (d) This section expires September 1, 2016 [~~2015~~].

27 SECTION 4. (a) The legal notice of the intention to

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

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

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

14 (d) The general law relating to consent by political
15 subdivisions to the creation of districts with conservation,
16 reclamation, and road powers and the inclusion of land in those
17 districts has been complied with.

18 (e) All requirements of the constitution and laws of this
19 state and the rules and procedures of the legislature with respect
20 to the notice, introduction, and passage of this Act have been
21 fulfilled and accomplished.

22 SECTION 5. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 2138 was passed by the House on May 9, 2013, by the following vote: Yeas 134, Nays 4, 5 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2138 on May 22, 2013, by the following vote: Yeas 144, Nays 3, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2138 was passed by the Senate, with amendments, on May 20, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor