

1-1 By: Guillen (Senate Sponsor - Lucio) H.B. No. 2213
 1-2 (In the Senate - Received from the House April 29, 2013;
 1-3 April 30, 2013, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 10, 2013, reported favorably by
 1-5 the following vote: Yeas 5, Nays 0; May 10, 2013, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			

1-14 A BILL TO BE ENTITLED
 1-15 AN ACT

1-16 relating to the creation of the Willacy County Drainage District
 1-17 No. 3; providing authority to issue bonds; providing authority to
 1-18 impose assessments, fees, or taxes.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-20 SECTION 1. Subtitle A, Title 6, Special District Local Laws
 1-21 Code, is amended by adding Chapter 6608 to read as follows:

1-22 CHAPTER 6608. WILLACY COUNTY DRAINAGE DISTRICT NO. 3

1-23 SUBCHAPTER A. GENERAL PROVISIONS

1-24 Sec. 6608.001. DEFINITIONS. In this chapter:

1-25 (1) "Board" means the district's board of directors.

1-26 (2) "Director" means a member of the board.

1-27 (3) "District" means the Willacy County Drainage
 1-28 District No. 3.

1-29 Sec. 6608.002. NATURE OF DISTRICT. The district is a
 1-30 drainage district created in Willacy County under Section 59,
 1-31 Article XVI, Texas Constitution, subject to approval at a
 1-32 confirmation election under Section 6608.102.

1-33 Sec. 6608.003. FINDINGS OF BENEFIT AND PURPOSE. (a) The
 1-34 district is created to serve a public use and benefit.

1-35 (b) All land and other property included in the district
 1-36 will benefit from the works and projects that are to be accomplished
 1-37 by the district under powers conferred by Section 59, Article XVI,
 1-38 Texas Constitution.

1-39 (c) The district is essential to accomplish the purposes of
 1-40 Section 59, Article XVI, Texas Constitution.

1-41 Sec. 6608.004. DISTRICT TERRITORY. The district territory
 1-42 is coextensive with the boundaries of Willacy County, Texas,
 1-43 excluding the territory contained within the boundaries of Willacy
 1-44 County Drainage District No. 1 and Willacy County Drainage District
 1-45 No. 2.

1-46 SUBCHAPTER B. BOARD OF DIRECTORS

1-47 Sec. 6608.051. DIRECTORS. (a) The district is governed by
 1-48 a board of five directors appointed as follows:

1-49 (1) the Commissioners Court of Willacy County shall
 1-50 appoint three directors; and

1-51 (2) the city council of the City of Raymondville shall
 1-52 appoint two directors.

1-53 (b) To be eligible to serve as a director a person must
 1-54 reside in Willacy County and:

1-55 (1) be a qualified voter in the district; or

1-56 (2) own land that is taxable in the district.

1-57 (c) The board has all powers conferred on a board of
 1-58 directors under Chapter 56, Water Code.

1-59 (d) Directors serve staggered terms of four years except for
 1-60 initial directors, two of whom serve two-year terms as agreed on by
 1-61 the initial directors.

SUBCHAPTER C. POWERS AND DUTIES

2-1 Sec. 6608.101. GENERAL POWERS AND DUTIES. The district has
 2-2 all rights, powers, privileges, functions, and duties provided by
 2-3 the general law of this state applicable to a drainage district
 2-4 created under Section 59, Article XVI, Texas Constitution,
 2-5 including Chapters 49 and 56, Water Code.

2-6 Sec. 6608.102. CONFIRMATION ELECTION. (a) The board shall
 2-7 hold an election to confirm the creation of the district.

2-8 (b) Section 41.001(a), Election Code, does not apply to a
 2-9 confirmation election under this section.

2-10 (c) Except as provided by this section, the confirmation
 2-11 election must be conducted as provided by Sections 49.102(a)-(f),
 2-12 Water Code, and the Election Code.

2-13 (d) The district is not required to elect directors at the
 2-14 confirmation election.

2-15 Sec. 6608.103. NO EMINENT DOMAIN POWER. The district may
 2-16 not exercise the power of eminent domain.

2-17 SECTION 2. (a) The legal notice of the intention to
 2-18 introduce this Act, setting forth the general substance of this
 2-19 Act, has been published as provided by law, and the notice and a
 2-20 copy of this Act have been furnished to all persons, agencies,
 2-21 officials, or entities to which they are required to be furnished
 2-22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 2-23 Government Code.

2-24 (b) The governor, one of the required recipients, has
 2-25 submitted the notice and Act to the Texas Commission on
 2-26 Environmental Quality.

2-27 (c) The Texas Commission on Environmental Quality has filed
 2-28 its recommendations on this Act with the governor, the lieutenant
 2-29 governor, and the speaker of the house of representatives within
 2-30 the required time.

2-31 (d) All requirements of the constitution and laws of this
 2-32 state and the rules and procedures of the legislature with respect
 2-33 to the notice, introduction, and passage of this Act are fulfilled
 2-34 and accomplished.

2-35 SECTION 3. If the creation of the district is not confirmed
 2-36 at a confirmation election held under Section 1 of this Act before
 2-37 September 1, 2015, this Act and Chapter 6608, Special District
 2-38 Local Laws Code, as added by this Act, expire on that date.

2-39 SECTION 4. This Act takes effect immediately if it receives
 2-40 a vote of two-thirds of all the members elected to each house, as
 2-41 provided by Section 39, Article III, Texas Constitution. If this
 2-42 Act does not receive the vote necessary for immediate effect, this
 2-43 Act takes effect September 1, 2013.

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