

By: Bell

H.B. No. 4158

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the East Waller County Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3937 to read as follows:

CHAPTER 3937. EAST WALLER COUNTY MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3937.001. DEFINITIONS. In this chapter:

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

(2) "County" means Waller County.

(3) "Director" means a board member.

(4) "District" means the East Waller County Management

District.

Sec. 3937.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3937.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing political subdivisions to contract with the district, the legislature has

1 established a program to accomplish the public purposes set out in
2 Section 52-a, Article III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,
4 develop, encourage, and maintain employment, commerce,
5 transportation, housing, tourism, recreation, the arts,
6 entertainment, economic development, safety, and the public
7 welfare in the district.

8 (c) The district is created to supplement and not to
9 supplant county services provided in the district.

10 Sec. 3937.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
11 The district is created to serve a public use and benefit.

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

17 (c) The creation of the district is in the public interest
18 and is essential to further the public purposes of:

19 (1) developing and diversifying the economy of the
20 state;

21 (2) eliminating unemployment and underemployment;

22 (3) developing or expanding transportation and
23 commerce; and

24 (4) providing quality residential housing.

25 (d) The district will:

26 (1) promote the health, safety, and general welfare of
27 residents, employers, potential employees, employees, visitors,

1 and consumers in the district, and of the public;

2 (2) provide needed funding for the district to
3 preserve, maintain, and enhance the economic health and vitality of
4 the district territory as a residential community and business
5 center; and

6 (3) promote the health, safety, welfare, and enjoyment
7 of the public by providing pedestrian ways and by landscaping,
8 removing graffiti from, and developing certain areas in the
9 district, which are necessary for the restoration, preservation,
10 and enhancement of scenic beauty.

11 (e) Pedestrian ways along or across a street, whether at
12 grade or above or below the surface, and street lighting, street
13 landscaping, vehicle parking, and street art objects are parts of
14 and necessary components of a street and are considered to be an
15 improvement project that includes a street or road improvement.

16 (f) The district will not act as the agent or
17 instrumentality of any private interest even though the district
18 will benefit many private interests as well as the public.

19 Sec. 3937.005. DISTRICT TERRITORY. (a) The district is
20 initially composed of the territory described by Section 2 of the
21 Act enacting this chapter.

22 (b) The boundaries and field notes contained in Section 2 of
23 the Act enacting this chapter form a closure. A mistake in the
24 field notes or in copying the field notes in the legislative process
25 does not affect the district's:

26 (1) organization, existence, or validity;

27 (2) right to issue any type of bond for the purposes

1 for which the district is created or to pay the principal of and
2 interest on a bond;

3 (3) right to impose or collect an assessment or tax; or

4 (4) legality or operation.

5 Sec. 3937.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
6 DISTRICTS LAW. Except as otherwise provided by this chapter,
7 Chapter 375, Local Government Code, applies to the district.

8 Sec. 3937.007. CONSTRUCTION OF CHAPTER. This chapter shall
9 be liberally construed in conformity with the findings and purposes
10 stated in this chapter.

11 SUBCHAPTER B. BOARD OF DIRECTORS

12 Sec. 3937.051. GOVERNING BODY; TERMS. The district is
13 governed by a board of five voting directors who serve staggered
14 terms of four years with two or three directors' terms expiring June
15 1 of each odd-numbered year.

16 Sec. 3937.052. QUALIFICATIONS OF DIRECTORS APPOINTED BY
17 COUNTY. To be qualified to serve as a director appointed by the
18 governing body of the county, a person must be:

19 (1) a resident of the district who is also a registered
20 voter of the district;

21 (2) an owner of property in the district;

22 (3) an owner of stock or a partnership or membership
23 interest, whether beneficial or otherwise, of a corporate
24 partnership, limited liability company, or other entity owner of a
25 direct or indirect interest in property in the district;

26 (4) an owner of a beneficial interest in a trust, or a
27 trustee in a trust, that directly or indirectly owns property in the

1 district;

2 (5) an agent, employee, or tenant of a person
3 described by Subdivision (2), (3), or (4);

4 (6) a resident of Waller County; or

5 (7) an initial director.

6 Sec. 3937.053. APPOINTMENT OF DIRECTORS. The governing
7 body of the county shall appoint directors from persons recommended
8 by the board.

9 Sec. 3937.054. VACANCY. If a vacancy occurs on the board,
10 the remaining directors shall appoint a director for the remainder
11 of the unexpired term.

12 Sec. 3937.055. DIRECTOR'S OATH OR AFFIRMATION. (a) A
13 director shall file the director's oath or affirmation of office
14 with the district, and the district shall retain the oath or
15 affirmation in the district records.

16 (b) A director shall file a copy of the director's oath or
17 affirmation with the clerk of the county.

18 Sec. 3937.056. QUORUM. A vacant director position is not
19 counted for purposes of establishing a quorum.

20 Sec. 3937.057. OFFICERS. The board shall elect from among
21 the directors a chair, a vice chair, and a secretary. The offices
22 of chair and secretary may not be held by the same person.

23 Sec. 3937.058. COMPENSATION; EXPENSES. (a) The district
24 may compensate each director in an amount not to exceed \$50 for each
25 board meeting. The total amount of compensation a director may
26 receive each year may not exceed \$2,000.

27 (b) A director is entitled to reimbursement for necessary

1 and reasonable expenses incurred in carrying out the duties and
2 responsibilities of the board.

3 Sec. 3937.059. LIABILITY INSURANCE. The district may obtain
4 and pay for comprehensive general liability insurance coverage from
5 a commercial insurance company or other source that protects and
6 insures a director against personal liability and from all claims
7 relating to:

8 (1) actions taken by the director in the director's
9 capacity as a member of the board;

10 (2) actions and activities taken by the district; or

11 (3) the actions of others acting on behalf of the
12 district.

13 Sec. 3937.060. NO EXECUTIVE COMMITTEE. The board may not
14 create an executive committee to exercise the powers of the board.

15 Sec. 3937.061. BOARD MEETINGS. The board shall hold
16 meetings at a place accessible to the public.

17 Sec. 3937.062. INITIAL DIRECTORS. (a) The initial board
18 consists of:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Kelly Moore</u>
<u>2</u>	<u>Frank Heuszel</u>
<u>3</u>	<u>Jeff Gobles</u>
<u>4</u>	<u>Elli Hinson</u>
<u>5</u>	<u>Bob Malquest</u>

25 (b) The terms of the initial directors expire June 1, 2017.

26 (c) Of the directors who replace an initial director, the
27 terms of directors serving in positions 1 through 3 expire June 1,

1 2019, and the terms of directors serving in positions 4 and 5 expire
2 June 1, 2021.

3 (d) Section 3937.052 does not apply to initial directors
4 under this section.

5 (e) This section expires September 1, 2021.

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 3937.101. GENERAL POWERS AND DUTIES. The district has
8 the powers and duties necessary to accomplish the purposes for
9 which the district is created.

10 Sec. 3937.102. IMPROVEMENT PROJECTS AND SERVICES. The
11 district may provide, design, construct, acquire, improve,
12 relocate, operate, maintain, or finance an improvement project or
13 service using money available to the district, or contract with a
14 governmental or private entity to provide, design, construct,
15 acquire, improve, relocate, operate, maintain, or finance an
16 improvement project or service authorized under this chapter or
17 Chapter 375, Local Government Code.

18 Sec. 3937.103. LOCATION OF IMPROVEMENT PROJECT. An
19 improvement project described by Section 3937.102 may be located:

20 (1) in the district; or

21 (2) in an area outside but adjacent to the district if
22 the project is for the purpose of extending a public infrastructure
23 improvement beyond the district's boundaries to a logical terminus.

24 Sec. 3937.104. DEVELOPMENT CORPORATION POWERS. The
25 district, using money available to the district, may exercise the
26 powers given to a development corporation under Chapter 505, Local
27 Government Code, including the power to own, operate, acquire,

1 construct, lease, improve, or maintain a project under that
2 chapter.

3 Sec. 3937.105. NONPROFIT CORPORATION. (a) The board by
4 resolution may authorize the creation of a nonprofit corporation to
5 assist and act for the district in implementing a project or
6 providing a service authorized by this chapter.

7 (b) The nonprofit corporation:

8 (1) has each power of and is considered to be a local
9 government corporation created under Subchapter D, Chapter 431,
10 Transportation Code; and

11 (2) may implement any project and provide any service
12 authorized by this chapter.

13 (c) The board shall appoint the board of directors of the
14 nonprofit corporation. The board of directors of the nonprofit
15 corporation shall serve in the same manner as the board of directors
16 of a local government corporation created under Subchapter D,
17 Chapter 431, Transportation Code, except that a board member is not
18 required to reside in the district.

19 Sec. 3937.106. AGREEMENTS; GRANTS. (a) As provided by
20 Chapter 375, Local Government Code, the district may make an
21 agreement with or accept a gift, grant, or loan from any person.

22 (b) The implementation of a project is a governmental
23 function or service for the purposes of Chapter 791, Government
24 Code.

25 Sec. 3937.107. LAW ENFORCEMENT SERVICES. To protect the
26 public interest, the district may contract with a qualified party,
27 including the county, to provide law enforcement services in the

1 district for a fee.

2 Sec. 3937.108. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
3 district may join and pay dues to a charitable or nonprofit
4 organization that performs a service or provides an activity
5 consistent with the furtherance of a district purpose.

6 Sec. 3937.109. ECONOMIC DEVELOPMENT. (a) The district may
7 engage in activities that accomplish the economic development
8 purposes of the district.

9 (b) The district may establish and provide for the
10 administration of one or more programs to promote state or local
11 economic development and to stimulate business and commercial
12 activity in the district, including programs to:

13 (1) make loans and grants of public money; and

14 (2) provide district personnel and services.

15 (c) The district may create economic development programs
16 and exercise the economic development powers that:

17 (1) Chapter 380, Local Government Code, provides to a
18 municipality; and

19 (2) Subchapter A, Chapter 1509, Government Code,
20 provides to a municipality.

21 Sec. 3937.110. REAL PROPERTY RESTRICTIONS. (a) The
22 district may adopt restrictions on the use of real property in the
23 district.

24 (b) The district may enforce restrictions on the use of real
25 property in the district in the manner provided for a municipal
26 utility district by Section 54.237, Water Code.

27 Sec. 3937.111. DESIGNATION OF SPECIAL ZONES. (a) The

1 district may designate all or any part of the area of the district,
2 as if the district were a municipality, as:

3 (1) a tax increment reinvestment zone under Chapter
4 311, Tax Code;

5 (2) a tax abatement reinvestment zone under Chapter
6 312, Tax Code; or

7 (3) an industrial district under Chapter 42, Local
8 Government Code.

9 (b) Section 311.006(b), Tax Code, does not apply to a tax
10 increment reinvestment zone created by the district.

11 (c) The district may submit to the Texas Economic
12 Development Bank a request for designation of a project or activity
13 in the district as an enterprise project in the manner provided for
14 a municipality to submit a request under Chapter 2303, Government
15 Code.

16 (d) If the county creates a tax increment reinvestment zone
17 under Chapter 311, Tax Code, the county, by contract with the
18 district, may grant money deposited in the tax increment fund to the
19 district to be used by the district for the purposes permitted for
20 money granted to a corporation under Section 380.002(b), Local
21 Government Code, including the right to pledge the money as
22 security for any bonds issued by the district for an improvement
23 project.

24 Sec. 3937.112. CONCURRENCE ON ADDITIONAL POWERS. If the
25 territory of the district is located in the corporate boundaries or
26 the extraterritorial jurisdiction of a municipality, the district
27 may not exercise a power granted to the district after the date the

1 district was created unless the governing body of the municipality
2 by resolution consents to the district's exercise of the power.

3 Sec. 3937.113. NO EMINENT DOMAIN POWER. The district may
4 not exercise the power of eminent domain.

5 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

6 Sec. 3937.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
7 board by resolution shall establish the number of signatures and
8 the procedure required for a disbursement or transfer of the
9 district's money.

10 Sec. 3937.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
11 The district may acquire, construct, finance, operate, or maintain
12 an improvement project or service authorized under this chapter or
13 Chapter 375, Local Government Code, using any money available to
14 the district.

15 Sec. 3937.153. GENERAL POWERS REGARDING PAYMENT OF DISTRICT
16 BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or
17 secure the payment or repayment of any bond, note, or other
18 temporary or permanent obligation or reimbursement or other
19 contract with any person and the costs and expenses of the
20 establishment, administration, and operation of the district and
21 the district's costs or share of the costs or revenue of an
22 improvement project or district contractual obligation or
23 indebtedness by:

24 (1) the imposition of an ad valorem tax or sales and
25 use tax or an assessment, user fee, concession fee, or rental
26 charge; or

27 (2) any other revenue or resources of the district,

1 including revenues from a tax increment reinvestment zone.

2 Sec. 3937.154. PETITION REQUIRED FOR FINANCING SERVICES AND
3 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
4 service or improvement project with assessments under this chapter
5 unless a written petition requesting that service or improvement
6 has been filed with the board.

7 (b) The petition must be signed by:

8 (1) the owners of a majority of the assessed value of
9 real property in the district subject to assessment according to
10 the most recent certified tax appraisal roll for the county; or

11 (2) at least 50 persons who own real property in the
12 district subject to assessment, if more than 50 persons own real
13 property in the district subject to assessment as determined by the
14 most recent certified tax appraisal roll for the county.

15 Sec. 3937.155. METHOD OF NOTICE FOR HEARING. The district
16 may mail the notice required by Section 375.115(c), Local
17 Government Code, by certified or first class United States mail.
18 The board shall determine the method of notice.

19 Sec. 3937.156. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
20 The board by resolution may impose and collect an assessment for any
21 purpose authorized by this chapter in all or any part of the
22 district.

23 (b) An assessment, a reassessment, or an assessment
24 resulting from an addition to or correction of the assessment roll
25 by the district, penalties and interest on an assessment or
26 reassessment, an expense of collection, and reasonable attorney's
27 fees incurred by the district:

1 (1) are a first and prior lien against the property
2 assessed;

3 (2) are superior to any other lien or claim other than
4 a lien or claim for county, school district, or municipal ad valorem
5 taxes; and

6 (3) are the personal liability of and a charge against
7 the owners of the property even if the owners are not named in the
8 assessment proceedings.

9 (c) The lien is effective from the date of the board's
10 resolution imposing the assessment until the date the assessment is
11 paid. The board may enforce the lien in the same manner that the
12 board may enforce an ad valorem tax lien against real property.

13 (d) The board may make a correction to or deletion from the
14 assessment roll that does not increase the amount of assessment of
15 any parcel of land without providing notice and holding a hearing in
16 the manner required for additional assessments.

17 Sec. 3937.157. STORM WATER USER CHARGES. The district may
18 establish user charges related to the operation of storm water
19 facilities, including the regulation of storm water for the
20 protection of water quality in the district.

21 Sec. 3937.158. NONPOTABLE WATER USER CHARGES. The district
22 may establish user charges for the use of nonpotable water for
23 irrigation purposes, subject to approval of the governing body of
24 the county.

25 Sec. 3937.159. COSTS FOR IMPROVEMENT PROJECTS. The
26 district may undertake separately or jointly with other persons,
27 including the county, all or part of the cost of an improvement

1 project, including an improvement project:

2 (1) for improving, enhancing, and supporting public
3 safety and security, fire protection and emergency medical
4 services, and law enforcement in or adjacent to the district; or

5 (2) that confers a general benefit on the entire
6 district or a special benefit on a definable part of the district.

7 Sec. 3937.160. TAX AND ASSESSMENT ABATEMENTS. The district
8 may designate reinvestment zones and may grant abatements of a tax
9 or assessment on property in the zones.

10 SUBCHAPTER E. TAXES AND BONDS

11 Sec. 3937.201. TAX ABATEMENT. The district may enter into a
12 tax abatement agreement in accordance with the general laws of this
13 state authorizing and applicable to a tax abatement agreement by a
14 municipality.

15 Sec. 3937.202. PROPERTY TAX AUTHORIZED. (a) The district
16 may impose an ad valorem tax on all taxable property in the district
17 to:

18 (1) pay for an improvement project of the types
19 authorized by Section 52(b), Article III, and Section 59, Article
20 XVI, Texas Constitution; or

21 (2) secure the payment of bonds issued for a purpose
22 described by Subdivision (1).

23 (b) The district may not impose an ad valorem tax to pay for
24 an improvement project under this chapter unless the imposition is
25 approved by the voters of the district voting at an election held
26 for that purpose. The board may call an election to approve the
27 imposition of an ad valorem tax to pay for an improvement project

1 under this chapter only if the board receives a petition requesting
2 the election signed by:

3 (1) more than 51 percent of the record owners of real
4 property in the district subject to taxation; or

5 (2) owners representing more than 51 percent of the
6 appraised value of real property in the district subject to
7 taxation, as determined by the tax rolls of the appraisal district.

8 Sec. 3937.203. SALES AND USE TAX. (a) The district may
9 impose a sales and use tax if authorized by a majority of the voters
10 of the district voting at an election called for that purpose.
11 Revenue from the tax may be used for any purpose for which ad
12 valorem tax revenue of the district may be used.

13 (b) The district may not adopt a sales and use tax if as a
14 result of the adoption of the tax the combined rate of all sales and
15 use taxes imposed by the district and other political subdivisions
16 of this state having territory in the district would exceed two
17 percent at any location in the district.

18 (c) If the voters of the district approve the adoption of
19 the tax at an election held on the same election date on which
20 another political subdivision adopts a sales and use tax or
21 approves an increase in the rate of its sales and use tax and as a
22 result the combined rate of all sales and use taxes imposed by the
23 district and other political subdivisions of this state having
24 territory in the district would exceed two percent at any location
25 in the district, the election to adopt a sales and use tax under
26 this chapter has no effect.

27 Sec. 3937.204. BONDS AND OTHER OBLIGATIONS. (a) The

1 district may issue, by public or private sale, bonds, notes, or
2 other obligations payable wholly or partly from ad valorem taxes,
3 sales and use taxes, or assessments in the manner provided by
4 Subchapter A, Chapter 372, or Subchapter J, Chapter 375, Local
5 Government Code.

6 (b) If the territory of the district is not located in the
7 corporate boundaries or extraterritorial jurisdiction of a
8 municipality, the district is not required to comply with Section
9 375.207, Local Government Code, and may issue a bond or other
10 obligation under Subchapter J, Chapter 375, Local Government Code,
11 with the written consent of directors, as provided by Section
12 375.071, Local Government Code.

13 (c) In exercising the district's borrowing power, the
14 district may issue a bond or other obligation in the form of a bond,
15 note, certificate of participation or other instrument evidencing a
16 proportionate interest in payments to be made by the district, or
17 other type of obligation.

18 (d) In addition to the sources of money described by
19 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
20 Government Code, district bonds may be secured and made payable
21 wholly or partly by a pledge of any part of the money the district
22 receives from improvement revenue or from any other source.

23 Sec. 3937.205. BOND MATURITY. Bonds may mature not more
24 than 40 years from their date of issue.

25 Sec. 3937.206. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
26 the time bonds or other obligations payable wholly or partly from ad
27 valorem taxes are issued:

1 (1) the board shall impose a continuing direct annual
2 ad valorem tax for each year that all or part of the bonds are
3 outstanding; and

4 (2) the district annually shall impose an ad valorem
5 tax on all taxable property in the district in an amount sufficient
6 to:

7 (A) pay the interest on the bonds or other
8 obligations as the interest becomes due; and

9 (B) create a sinking fund for the payment of the
10 principal of the bonds or other obligations when due or the
11 redemption price at any earlier required redemption date.

12 SUBCHAPTER F. DISSOLUTION

13 Sec. 3937.251. DISSOLUTION BY ORDINANCE. (a) A
14 municipality that includes territory of the district, in the
15 corporate boundaries or extraterritorial jurisdiction of the
16 municipality, by ordinance may dissolve the district.

17 (b) The municipality may not dissolve the district until the
18 district's outstanding debt or contractual obligations that are
19 payable from ad valorem taxes have been repaid or discharged, or the
20 municipality has affirmatively assumed the obligation to pay the
21 outstanding debt from municipal revenue.

22 Sec. 3937.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

23 (a) If the dissolved district has bonds or other obligations
24 outstanding secured by and payable from assessments or other
25 revenue, other than ad valorem taxes, the municipality that
26 dissolves the district shall succeed to the rights and obligations
27 of the district regarding enforcement and collection of the

1 assessments or other revenue.

2 (b) The municipality shall have and exercise all district
3 powers to enforce and collect the assessments or other revenue to
4 pay:

5 (1) the bonds or other obligations when due and
6 payable according to their terms; or

7 (2) special revenue or assessment bonds or other
8 obligations issued by the municipality to refund the outstanding
9 bonds or obligations.

10 Sec. 3937.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
11 If a municipality dissolves the district, the municipality assumes,
12 subject to the appropriation and availability of funds, the
13 obligations of the district, including any bonds or other debt
14 payable from assessments or other district revenue.

15 (b) If a municipality dissolves the district, the board
16 shall transfer ownership of all district property to the
17 municipality.

18 SECTION 2. The East Waller County Management District
19 initially includes all the territory contained in the following
20 area:

21 Tract 1 is +/- 628 acres within the H. & T.C.R.R.CO. Survey Abstract
22 (No. 173 Sec. 113) and situated northeast of intersection of
23 Farm-to-Market Road 529 (Freeman Road) and FM Road 2855 North
24 (Morrison Road) in southeast Waller County with point of beginning
25 being northwest corner of 10 acre tract (ABS A317300 A-173 H & T C R
26 R CO TRACT 2) and east Right-Of-Way (ROW) of FM Road 2855 North
27 (Morrison Road);

1 Then north along east ROW of FM Road 2855 North (Morrison Road) and
2 west boundary of +/-628 tract (ABS A317300 A-173 H & T C R R CO TRACT
3 1 ACRES 627.979 P/O 628.479 AC) to northwest corner of said tract;
4 Then east along north boundary of said +/- 628 acre tract to
5 northeast corner of said tract;
6 Then south along east boundary of said +/- 628 tract to southeast
7 corner of said tract and north ROW of FM 529 (Freeman Road);
8 Then west along south boundary of said +/- 628 acre tract and north
9 ROW of FM 529 (Freeman Road) to corner of said tract and southeast
10 corner of 10 acre tract (ABS A317300 A-173 H & T C R R CO TRACT 2);
11 Then north along east boundary of said 10 acre tract to northeast
12 corner of said tract;
13 Then west along north boundary of said 10 acre tract to northwest
14 corner of said tract and east ROW of FM Road 2855 North (Morrison
15 Road) and point of beginning of +/-628 acre tract;

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

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

26 (c) The Texas Commission on Environmental Quality has filed
27 its recommendations relating to this Act with the governor,

1 lieutenant governor, and speaker of the house of representatives
2 within the required time.

3 (d) The general law relating to consent by political
4 subdivisions to the creation of districts with conservation,
5 reclamation, and road powers and the inclusion of land in those
6 districts has been complied with.

7 (e) All requirements of the constitution and laws of this
8 state and the rules and procedures of the legislature with respect
9 to the notice, introduction, and passage of this Act have been
10 fulfilled and accomplished.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2015.