

House Bill 4154
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3938 to read as follows:

CHAPTER 3938. GRAND LAKE ESTATES MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3938.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "County" means Montgomery County.
- (3) "Director" means a board member.
- (4) "District" means the Grand Lake Estates Management District.

Sec. 3938.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3938.003. 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 established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

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

SENATE VERSION (IE)

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3938 to read as follows:

CHAPTER 3938. GRAND LAKE ESTATES MANAGEMENT DISTRICT

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Sec. 3938.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3938.003. 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 established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

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

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

Sec. 3938.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

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

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

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

(2) eliminating unemployment and underemployment;

(3) developing or expanding transportation and commerce; and

(4) providing quality residential housing.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

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

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

(e) Pedestrian ways along or across a street, whether at grade

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or above or below the surface, and street lighting, street landscaping, vehicle parking, and street art objects are parts of and necessary components of a street and are considered to be an improvement project that includes a street or road improvement.

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

Sec. 3938.005. DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

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

(4) legality or operation.

Sec. 3938.006. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3938.007. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

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SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3938.051. GOVERNING BODY; TERMS. The district is governed by a board of five voting directors who serve staggered terms of four years with two or three directors' terms expiring June 1 of each odd-numbered year.

Sec. 3938.052. QUALIFICATIONS OF DIRECTORS APPOINTED BY COUNTY. To be qualified to serve as a director appointed by the governing body of the county, a person must be:

- (1) a resident of the district who is also a registered voter of the district;
- (2) an owner of property in the district;
- (3) an owner of stock or a partnership or membership interest, whether beneficial or otherwise, of a corporate partnership, limited liability company, or other entity owner of a direct or indirect interest in property in the district;
- (4) an owner of a beneficial interest in a trust, or a trustee in a trust, that directly or indirectly owns property in the district;
- (5) an agent, employee, or tenant of a person described by Subdivision (2), (3), or (4); or
- (6) an initial director.

Sec. 3938.053. APPOINTMENT OF DIRECTORS. The governing body of the county shall appoint directors from persons recommended by the board.

Sec. 3938.054. VACANCY. If a vacancy occurs on the board, the remaining directors shall appoint a director for the remainder of the unexpired term.

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Sec. 3938.055. DIRECTOR'S OATH OR AFFIRMATION.

(a) A director shall file the director's oath or affirmation of office with the district, and the district shall retain the oath or affirmation in the district records.

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

Sec. 3938.056. QUORUM. A vacant director position is not counted for purposes of establishing a quorum.

Sec. 3938.057. OFFICERS. The board shall elect from among the directors a chair, a vice chair, and a secretary. The offices of chair and secretary may not be held by the same person.

Sec. 3938.058. COMPENSATION; EXPENSES. (a) The district may compensate each director in an amount not to exceed \$50 for each board meeting. The total amount of compensation a director may receive each year may not exceed \$2,000.

(b) A director is entitled to reimbursement for necessary and reasonable expenses incurred in carrying out the duties and responsibilities of the board.

Sec. 3938.059. LIABILITY INSURANCE. The district may obtain and pay for comprehensive general liability insurance coverage from a commercial insurance company or other source that protects and insures a director against personal liability and from all claims relating to:

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

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

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

Sec. 3938.060. NO EXECUTIVE COMMITTEE. The board may not create an executive committee to exercise the powers of the board.

Sec. 3938.061. BOARD MEETINGS. The board shall hold meetings at a place accessible to the public.

Sec. 3938.062. INITIAL DIRECTORS. (a) The initial board consists of:

Pos. No.Name of Director

1Collin Nguyen

2Laura Dodson

3Roger Stacey

4Amanda James

5Joe Teagarden

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

(c) Of the directors who replace an initial director, the terms of directors serving in positions 1 through 3 expire June 1, 2019, and the terms of directors serving in positions 4 and 5 expire June 1, 2021.

(d) Section 3938.052 does not apply to initial directors under this section.

(e) This section expires September 1, 2021.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3938.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

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Sec. 3938.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3938.103. LOCATION OF IMPROVEMENT PROJECT. An improvement project described by Section 3938.102 may be located:

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

Sec. 3938.104. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3938.105. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

- (1) has each power of and is considered to be a local

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government corporation created under Subchapter D, Chapter 431, Transportation Code; and

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

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

Sec. 3938.106. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

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

Sec. 3938.107. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county, to provide law enforcement services in the district for a fee.

Sec. 3938.108. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 3938.109. ECONOMIC DEVELOPMENT. (a) The district may engage in activities that accomplish the economic

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development purposes of the district.
(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:
(1) make loans and grants of public money; and
(2) provide district personnel and services.
(c) The district may create economic development programs and exercise the economic development powers that:
(1) Chapter 380, Local Government Code, provides to a municipality; and
(2) Subchapter A, Chapter 1509, Government Code, provides to a municipality.

Sec. 3938.110. REAL PROPERTY RESTRICTIONS. (a) The district may adopt restrictions on the use of real property in the district.
(b) The district may enforce restrictions on the use of real property in the district in the manner provided for a municipal utility district by Section 54.237, Water Code.

Sec. 3938.111. DESIGNATION OF SPECIAL ZONES. (a) The district may designate all or any part of the area of the district, as if the district were a municipality, as:
(1) a tax increment reinvestment zone under Chapter 311, Tax Code;
(2) a tax abatement reinvestment zone under Chapter 312, Tax Code; or
(3) an industrial district under Chapter 42, Local Government Code.
(b) Section 311.006(b), Tax Code, does not apply to a tax increment reinvestment zone created by the district.

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(3) an industrial district under Chapter 42, Local Government Code.
(b) Section 311.006(b), Tax Code, does not apply to a tax increment reinvestment zone created by the district.

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

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

Sec. 3938.112. CONCURRENCE ON ADDITIONAL POWERS. If the territory of the district is located in the corporate boundaries or the extraterritorial jurisdiction of a municipality, the district may not exercise a power granted to the district after the date the district was created unless the governing body of the municipality by resolution consents to the district's exercise of the power.

Sec. 3938.113. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS: ASSESSMENTS

Sec. 3938.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of signatures and the procedure required for a disbursement or transfer of the district's money.

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Sec. 3938.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain an improvement project or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3938.153. GENERAL POWERS REGARDING PAYMENT OF DISTRICT BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or secure the payment or repayment of any bond, note, or other temporary or permanent obligation or reimbursement or other contract with any person and the costs and expenses of the establishment, administration, and operation of the district and the district's costs or share of the costs or revenue of an improvement project or district contractual obligation or indebtedness by:

- (1) the imposition of an ad valorem tax or sales and use tax or an assessment, user fee, concession fee, or rental charge; or
- (2) any other revenue or resources of the district, including revenues from a tax increment reinvestment zone.

Sec. 3938.154. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) The petition must be signed by:

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

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Sec. 3938.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain an improvement project or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3938.153. GENERAL POWERS REGARDING PAYMENT OF DISTRICT BONDS, OBLIGATIONS, OR OTHER COSTS. The district may provide or secure the payment or repayment of any bond, note, or other temporary or permanent obligation or reimbursement or other contract with any person and the costs and expenses of the establishment, administration, and operation of the district and the district's costs or share of the costs or revenue of an improvement project or district contractual obligation or indebtedness by:

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

Sec. 3938.155. METHOD OF NOTICE FOR HEARING. The district may mail the notice required by Section 375.115(c), Local Government Code, by certified or first class United States mail. The board shall determine the method of notice.

Sec. 3938.156. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

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

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

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

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

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

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No equivalent provision

Sec. 3938.155. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

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

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

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

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

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

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

Sec. 3938.157. STORM WATER USER CHARGES. The district may establish user charges related to the operation of storm water facilities, including the regulation of storm water for the protection of water quality in the district.

Sec. 3938.158. NONPOTABLE WATER USER CHARGES. The district may establish user charges for the use of nonpotable water for irrigation purposes, subject to approval of the governing body of the county.

Sec. 3938.159. COSTS FOR IMPROVEMENT PROJECTS. The district may undertake separately or jointly with other persons, including the county, all or part of the cost of an improvement project, including an improvement project:
(1) for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement in or adjacent to the district; or
(2) that confers a general benefit on the entire district or a special benefit on a definable part of the district.

Sec. 3938.160. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of a tax or assessment on property in the zones.

SUBCHAPTER E. TAXES AND BONDS

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

Sec. 3938.156. STORM WATER USER CHARGES. The district may establish user charges related to the operation of storm water facilities, including the regulation of storm water for the protection of water quality in the district.

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Sec. 3938.158. COSTS FOR IMPROVEMENT PROJECTS. The district may undertake separately or jointly with other persons, including the county, all or part of the cost of an improvement project, including an improvement project:
(1) for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement in or adjacent to the district; or
(2) that confers a general benefit on the entire district or a special benefit on a definable part of the district.

Sec. 3938.159. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of a tax or assessment on property in the zones.

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Sec. 3938.201. TAX ABATEMENT. The district may enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to a tax abatement agreement by a municipality.

Sec. 3938.202. PROPERTY TAX AUTHORIZED. (a) The district may impose an ad valorem tax on all taxable property in the district to:

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

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

(b) The district may not impose an ad valorem tax to pay for an improvement project under this chapter unless the imposition is approved by the voters of the district voting at an election held for that purpose. The board may call an election to approve the imposition of an ad valorem tax to pay for an improvement project under this chapter only if the board receives a petition requesting the election signed by:

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

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

Sec. 3938.203. SALES AND USE TAX. (a) The district may impose a sales and use tax if authorized by a majority of the voters of the district voting at an election called for that purpose. Revenue from the tax may be used for any purpose for which ad valorem tax revenue of the district may be used.

(b) The district may not adopt a sales and use tax if as a result

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Sec. 3938.201. TAX ABATEMENT. The district may enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to a tax abatement agreement by a municipality.

Sec. 3938.202. PROPERTY TAX AUTHORIZED. (a) The district may impose an ad valorem tax on all taxable property in the district to:

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

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

(b) The district may not impose an ad valorem tax to pay for an improvement project under this chapter unless the imposition is approved by the voters of the district voting at an election held for that purpose. The board may call an election to approve the imposition of an ad valorem tax to pay for an improvement project under this chapter only if the board receives a petition requesting the election signed by:

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

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

Sec. 3938.203. SALES AND USE TAX. (a) The district may impose a sales and use tax if authorized by a majority of the voters of the district voting at an election called for that purpose. Revenue from the tax may be used for any purpose for which ad valorem tax revenue of the district may be used.

(b) The district may not adopt a sales and use tax if as a result

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of the adoption of the tax the combined rate of all sales and use taxes imposed by the district and other political subdivisions of this state having territory in the district would exceed two percent at any location in the district.

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

Sec. 3938.204. BONDS AND OTHER OBLIGATIONS. (a) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, sales and use taxes, or assessments in the manner provided by Subchapter A, Chapter 372, or Subchapter J, Chapter 375, Local Government Code.

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

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

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of the adoption of the tax the combined rate of all sales and use taxes imposed by the district and other political subdivisions of this state having territory in the district would exceed two percent at any location in the district.

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

Sec. 3938.204. BONDS AND OTHER OBLIGATIONS. (a) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, sales and use taxes, or assessments in the manner provided by Subchapter J, Chapter 375, Local Government Code.

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

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

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

Sec. 3938.205. BOND MATURITY. Bonds may mature not more than 40 years from their date of issue.

Sec. 3938.206. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

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

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

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

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

SUBCHAPTER F. DISSOLUTION

Sec. 3938.251. DISSOLUTION BY ORDINANCE. (a) A municipality that includes territory of the district, in the corporate boundaries or extraterritorial jurisdiction of the municipality, by ordinance may dissolve the district.

(b) The municipality may not dissolve the district until the district's outstanding debt or contractual obligations that are

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

Sec. 3938.205. BOND MATURITY. Bonds may mature not more than 40 years from their date of issue.

Sec. 3938.206. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

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

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

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

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

SUBCHAPTER F. DISSOLUTION

Sec. 3938.251. DISSOLUTION BY ORDINANCE. (a) A municipality that includes territory of the district, in the corporate boundaries or extraterritorial jurisdiction of the municipality, by ordinance may dissolve the district.

(b) The municipality may not dissolve the district until the district's outstanding debt or contractual obligations that are

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payable from ad valorem taxes have been repaid or discharged, or the municipality has affirmatively assumed the obligation to pay the outstanding debt from municipal revenue.

Sec. 3938.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE. (a) If the dissolved district has bonds or other obligations outstanding secured by and payable from assessments or other revenue, other than ad valorem taxes, the municipality that dissolves the district shall succeed to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

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

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

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

Sec. 3938.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a) If a municipality dissolves the district, the municipality assumes, subject to the appropriation and availability of funds, the obligations of the district, including any bonds or other debt payable from assessments or other district revenue.

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

SECTION 2. The Grand Lake Estates Management District

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payable from ad valorem taxes have been repaid or discharged, or the municipality has affirmatively assumed the obligation to pay the outstanding debt from municipal revenue.

Sec. 3938.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE. (a) If the dissolved district has bonds or other obligations outstanding secured by and payable from assessments or other revenue, other than ad valorem taxes, the municipality that dissolves the district shall succeed to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

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

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

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

Sec. 3938.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a) If a municipality dissolves the district, the municipality assumes, subject to the appropriation and availability of funds, the obligations of the district, including any bonds or other debt payable from assessments or other district revenue.

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

SECTION 2. Same as House version.

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initially includes all the territory contained in the following area: Tract 1 is +/- 200.33 acres within the J. Sealy Survey Abstract (No. 758) and A. Hodge Survey Abstract (No. 18), and situated west of the Grand Lake Estates Subdivision Section 11 (west of intersection of Guinevere Ln and Kirsten's Ct) and south of the Grand Lake Estates Subdivision Sections 6 and 8, in southwest Montgomery County with point of beginning being south Right-Of-Way (ROW) of Guinevere Ln and east boundary of 200.33 acre tract (A0758 - Sealy John, TRACT 1-A (191.211 AC), A0018 HODGE ARCHIBALD, TRACT 3A-1 (9.119 AC), ACRES 200.33);
Then south along east boundary of said 200.33 acre tract to southeast corner of said tract;
Then west along south boundary of said 200.33 acre tract to southwest corner of said tract;
Then north along west boundary of said 200.33 acre tract to northwest corner of said tract;
Then east along north boundary of said 200.33 acre tract to northeast corner of said tract;
Then south along east boundary of said 200.33 acre tract to south ROW of Guinevere Ln and point of beginning of +/- 200.33 acre tract;

No equivalent provision.

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CONFERENCE

SECTION __. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7932 to read as follows:
CHAPTER 7932. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 152

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7932.001. DEFINITIONS. In this chapter:

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- (1) "Board" means the district's board of directors.
- (2) "Commission" means the Texas Commission on Environmental Quality.
- (3) "Director" means a board member.
- (4) "District" means the Montgomery County Municipal Utility District No. 152.

Sec. 7932.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7932.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7932.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7932.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 7932.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.
(b) The district is created to accomplish the purposes of:
(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
(2) Section 52, Article III, Texas Constitution, that relate to

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the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7932.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7932.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 7932.052, directors serve staggered four-year terms.

Sec. 7932.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five

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persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7932.003; or

(2) the fourth anniversary of the effective date of the Act enacting this chapter.

(c) If permanent directors have not been elected under Section 7932.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7932.003; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7932.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7932.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal

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utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7932.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7932.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Sec. 7932.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

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SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7932.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7932.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

Sec. 7932.152. OPERATION AND MAINTENANCE TAX.

(a) If authorized at an election held under Section 7932.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Sec. 7932.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7932.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7932.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7932.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district. [FA2(2)]

No equivalent provision.

SECTION __. The Montgomery County Municipal Utility District No. 152 initially includes all the territory contained in the following area:
A METES & BOUNDS description of a certain 695.3 acre

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tract of land situated in the Montgomery County School Land Survey, Abstract No. 351, the T. F. Johnson Survey, Abstract No. 299 and the Timothy O'Neil Survey, Abstract No. 406 in Montgomery County, Texas, being comprised of a called 364.7 acre tract of land (First Tract) and a called 330.6 acre tract of land (Second Tract) conveyed to Bell Endeavors, Ltd. From Helen Hilliard Brame by Special Warranty Deed recorded in Clerk's File No. 2004-021196 of the Montgomery County Official Public Records of Real Property; said 695.3 acre tract being more particularly described in Two (2) Tracts as follows with all bearings being based on a call of South 51°30' West, along the common lines of the First and Second Tracts;

TRACT 1: 364.7 acres, more or less, of land, of which 286.5 acres, more or less, lies in the Montgomery County School Land Survey, Abstract No. 350, 69.2 acres, more or less, lies in the Montgomery County School Land Survey, Abstract No. 351, 6.5 acres, more or less, lies in the T. F. Johnson Survey, Abstract No. 299, and 2.5 acres, more or less, lies in the Timothy O'Neil Survey, Abstract No. 406, and being the same land as conveyed to Winnie Helen Hilliard by partition deed dated July 20, 1957, recorded in Volume 434, Page 441 of the Deed Records of Montgomery County, Texas; said 364.7 acres, more or less, of land being more particularly described as follows:

BEGINNING at the Southwest corner of the S. Richardson Survey, Abstract No. 460 and the Northwest corner of the T. F. Johnson Survey, the Eastern Southeast corner of the Montgomery County School Land Survey, Abstract No. 350, a Northeast intra corner of the Montgomery County School Land Survey, Abstract No. 351, and being Corner No. 1 hereof;

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THENCE, S 00°30' W, 199.3 feet to Corner No. 2 hereof at the Southwest corner of the Blanche Bender tract of land;
THENCE, East, 746.4 feet to Corner No. 3 hereof and the Second Corner of Tract 2 hereof;
THENCE, S 51°30' W, 2738 feet to Corner No. 4 hereof and Corner No. 1 of said Tract Two hereof, also being in the Northern boundary line of a 660 acre tract as conveyed to Winnifred Bender Beaman by said partition deed recorded in Volume 434, Page 441 of said Deed Records, and also being the Southeast corner of the Doris Eugenia Vaughan tract as described in said partition deed;
THENCE, N 38°35' W, 6268.4 feet to Corner No. 5 hereof and the Northeast corner of said Doris Eugenia Vaughan tract in the center of the Scott-Herrin Road;
THENCE, N 47°30' E, 800.4 feet with said Road [Deed (Volume 434, Page 441) call of N 46°40' E, 759.2 feet] to Corner No. 6 hereof;
THENCE, N 70°06' E, 1110.0 feet continuing with said road [Deed (Volume 434, Page 441) call of N 68°55' E, 1110 feet] to its intersection with the old Bender Tram Line for Corner No. 7 hereof;
THENCE, S 57°27' E, with said old Tram, 4397 feet [Deed (Volume 434, Page 441) call of S 57°12' E, 4397 feet] to Corner No. 8 hereof in the West boundary line of the S. Richardson Survey;
THENCE, S 01°12'39" W, 1549.45 feet [Deed (Clerk's File No. 2004-021196) call South 01°13' W, 1549.6 feet] along the West line of the S. Richardson Survey to the PLACE OF BEGINNING AND CONTAINING within these bounds 364.7 acres, more or less, of land.
TRACT 2: 330.6 acres, more or less, of land, of which 110.5 acres, more or less, lies in the Montgomery County School

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Land Survey, Abstract No. 351, and 220.1 acres, more or less, lies in the T. F. Johnson Survey, Abstract No. 299, and being the same land as conveyed to Winnie Helen Hilliard by deed dated August 3, 1967, recorded in Volume 646, Page 935 of the Montgomery County Deed Records; said 330.6 acres, more or less, of land being more particularly described as follows:

BEGINNING at Corner No. 4 of the Tract 1 herein, and Corner No. 1 hereof;

THENCE, N 51°30' E, 2738.0 feet to a point for corner in the Southern boundary line of said Blanche Bender tract for Corner No. 2;

THENCE, East, 1009.6 feet with the Southern boundary line of said Blanche Bender tract to Corner No. 3 hereof on the Western edge of the Old Bender Tram Line;

THENCE, S 28°02' E, with said old Tram and/or road, 4024 feet [Deed (Volume 434, Page 441) call of S 28°50' E, 3966.4 feet] to Corner No. 4 hereof, on the Western side of said road, and being a most Eastern corner of the Doris E. Vaughan 330 acres as described in a deed recorded in Volume 646, Page 933 of said Deed Records;

THENCE, S 52°43' W, 2797.2 feet, [Deed (Volume 434, Page 441) call of S 53° W, 2797.2 feet] to Corner No. 5 hereof and being a re-entrant corner of the Doris E. Vaughan 330 acre tract;

THENCE, S 38°30'25" W, 4526.14 feet [Deed (Clerk's File No. 2004-021196) call N 38°30' W, 4525.7 feet] to the PLACE OF BEGINNING AND CONTAINING within these bounds 330.6 acres, more or less, of land for a total of 695.3 acres in Montgomery County, Texas. [FA2(2)]

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

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

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

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

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

No equivalent provision.

SENATE VERSION (IE)

SECTION 3. Same as House version.

CONFERENCE

SECTION __. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7932, Special District Local Laws Code, as added by Section 3 of this Act, is amended by adding Section 7932.106 to read as follows:

Sec. 7932.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

(b) This section is not intended to be an expression of a

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legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution. [FA2(3)]

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

SECTION 4. Same as House version.

No equivalent provision.

SECTION __. Section 2, Chapter 465, Acts of the 79th Legislature, Regular Session, 2005, is amended to read as follows:

Sec. 2. The Harris County Municipal Utility District No. 465 [~~initially~~] includes all the territory contained in the following area:

Being 320.794 acres of land located in the A. E. Spencer Survey, Abstract 1365, and the W. B. Macomer Survey, Abstract 1528, the L. Breeding Survey, Abstract 1468, and the C. Breeding Survey, Abstract 1467, Harris County, Texas, being a portion of that certain called 315.38 acre tract (Tract I) and the residue of that certain called 19.768 acre tract (Tract III) by an instrument of record in File Number D990282, Official Public Records of Real Property, Harris County, Texas, (H.C.O.P.R.R.P.), said 320.794 acres being more particularly described by metes and bounds as follows, all bearings based upon the west line of said 315.38 acre tract, and being north (called north);

BEGINNING on the common line of said W. B. Macomer Survey, Abstract 1528, and the H. & T.C. Railroad Company Survey Section 87, Abstract 455 of said Harris County, Texas,

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at its intersection with the north right-of-way line of F. M. Highway 529, said point being the southwest corner of said 315.38 acre tract;

Thence, North (called North) along the common line of said W. B. Macomer Survey and said H. & T.C. Railroad Company Survey, 5,204.14 feet to the northwest corner of the herein described tract, the northwest corner of said 315.38 acre tract, same being the northeast corner of a called 21.157 acre tract by an instrument of record in File Number P040350, H.C.O.P.R.R.P., on the south right-of-way line of Longenbaugh Road;

Thence, North 89° 59' 17" East, along the north line of the herein described tract and the north line of said 315.38 acre tract, and the south right-of-way line of said Longenbaugh Road, 2,640.00 feet to the northeast corner of the herein described tract and the northeast corner of said 315.38 acre tract, same being the northwest corner of the residue of a called 510.63 acre tract by an instrument of record in Volume 1270, Page 473, and Volume 1267, Page 163, Deed Records of said Harris County, Texas (H.C.D.R.);

Thence, South (called South) along the east line of the herein described tract and the east line of said called 315.38 acre tract, same being the west line of said adjoining residue of a called 510.63 acre tract, at 2,613.77 feet pass a point on said line at its intersection with the south line of the A. E. Spencer Survey, Abstract 1365, said point being the southwest corner of said adjoining residue of a called 510.63 acre tract, same being the northwest corner of an adjoining called 73.718 acre tract described in deed recorded under County Clerk's File Numbers L9788401, N447931, N447932, and W740505, Official Public Records of Real Property, Harris County, Texas, said point also being the northwest corner of the L.

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Breeding Survey, Abstract 1468, same being the northeast corner of the W. B. Macomer Survey, Abstract 1528, and continuing for a total distance of 3,844.35 feet to a reentry corner to the herein described tract, same being the southwest corner of said adjoining called 73.718 acre tract;
Thence, North 89 degrees 57 minutes 16 seconds East (adjoiner called East) along the lower north line of the herein described tract, same being the south line of said adjoining called 73.718 acre tract, 2,609.39 feet (adjoiner called 2,609.44 feet) to a northeast corner of the herein described tract, same being the southeast corner of said adjoining called 73.718 acre tract, and being in the west right-of-way line of Katy Hockley Road;
Thence, South 00 degrees 01 minute 11 seconds East (called South) along the middle east line the herein described tract and the east line of said residue of a called 19.768 acre tract, same being the west right-of-way line of Katy Hockley Road, 90.00 feet to a southeast corner of the herein described tract and the southeast corner of said called 19.768 acre tract, same being the northeast corner of an adjoining called 1.00 acre tract described in deed recorded under County Clerk's File Number T395128, Official Public Records of Real Property, Harris County, Texas, said point also being the southeast corner of the C. Breeding Survey, Abstract 1467, same being the lower northeast corner of the L. Breeding Survey, Abstract 1468;
Thence, South 89 degrees 57 minutes 16 seconds West along the south line of the C. Breeding Survey, Abstract 1467, same being the lower north line of the L. Breeding Survey, Abstract 1468, being the upper south line of the herein described tract and the south line of said called 19.768 acre tract, same being the north line of said adjoining called 1.00 acre tract, and

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along the north line of an adjoining called 1.9578 acre tract described in deed recorded under County Clerk's File Number T233387, Official Public Records of Real Property, Harris County, Texas, the north line of an adjoining called 13.9559 acre tract described in deed recorded under County Clerk's File Number G594514, Official Public Records of Real Property, Harris County, Texas, the north line of an adjoining called 13.955 acre tract described in deed recorded under County Clerk's File Number H415235, Official Public Records of Real Property, Harris County, Texas, the north line of an adjoining called 3.955 acre tract described in deed recorded under County Clerk's File Number G067328, Official Public Records of Real Property, Harris County, Texas, and the north line of an adjoining called 10 acre tract described in deed recorded under County Clerk's File Number D745445, Official Public Records of Real Property, Harris County, Texas, the north line of an adjoining called 10 acre tract described in deed recorded under County Clerk's File Number H755391, Official Public Records of Real Property, Harris County, Texas, the north line of an adjoining called 10 acre tract described in deed recorded under County Clerk's File Number H956910, Official Public Records of Real Property, Harris County, Texas, for a total distance of 2,610.82 feet (called 2,609.44 feet) to a reentry corner to the herein described tract, same being the occupied northwest corner of said adjoining called 10 acre tract (County Clerk's File Number H956910), said point also being in the occupied common line of the L. Breeding Survey, Abstract 1468, and the W. B. Macomer Survey, Abstract 1528; Thence, South 00 degrees 03 minutes 48 seconds East (called South) along the occupied common line of the herein described tract and said adjoining called 10 acre tract,

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1,269.78 feet to a southeast corner of said called 315.38 acre tract, same being the southwest corner of said adjoining called 10 acre tract, and being in the north right-of-way line of F. M. Highway 529;

Thence, North 89 degrees 59 minutes 17 seconds West (called West) along the lower south line of the herein described tract and the south line of said called 315.38 acre tract, same being the north right-of-way line of F. M. Highway 529, 2,640.00 feet (called 2,640 feet) to the Place of Beginning and containing 320.794 acres of land, more or less.

[TRACT I:

[FIELD NOTES FOR A 315.38 ACRE TRACT OF LAND, 156.84 ACRES OUT OF THE W.B. MACOMER SURVEY, ABSTRACT 1528, BEING THE SOUTHWEST ¼ OF SECTION 76, BLOCK 2 OF THE H. & T. C. R.R. COMPANY SURVEY AND 158.54 ACRES OUT OF THE A. E. SPENCER SURVEY, ABSTRACT 1365, BEING THE NORTHWEST ¼ OF SECTION 76, BLOCK 2 OF THE H. & T. C. R.R. COMPANY SURVEY, HARRIS COUNTY, TEXAS.

[BEGINNING at 1 1/4 inch Iron Pipe found on the North line of F. M. Highway 529, said point being the Southeast corner and Place of Beginning of the herein described 315.38 Acre Tract, said point being located West 2639.44 feet and North 52 feet from the Southeast corner of the H. & T. C. R.R. Company Survey, Section 76;

[THENCE North along the East line of the W. B. Macomer Survey being a part of the aforementioned H. & T. C. R.R. Company Survey Section 76, at 2588 feet pass a 5/8 inch Iron Rod set on said line at the Northeast corner of the aforementioned W. B. Macomer Survey, same being in the South line of the A. E. Spenceer Survey, and continuing for a

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~~total distance of 5204 feet to a 1 1/4 inch Iron Pipe set on the South line of Longenbaugh Road for the Northeast corner of the herein described 315.58 Acre Tract;~~

~~[THENCE West along the South line of Longenbaugh Road, 2640 feet to a 1 1/4 inch Iron Pipe set in the West line of the H. & T. C. R.R. Company Survey Section 76 for the Northwest corner of the herein described 315.38 Acre Tract;~~

~~[THENCE South along the West line of said Section 76, at 2616 feet pass the Southwest corner of the A.E. Spencer Survey, being a part of the aforementioned Section 76, same being the Northwest corner of the W. B. Macomer Survey, being a part of the aforementioned Section 76, and continuing for a total distance of 3204 feet to a 1 1/4 inch Iron Pipe set in the South line of F.M. Highway 529 for the Southwest corner of the herein described 315.38 Acre Tract;~~

~~[THENCE East along the South line of said F.M. Highway 529, 2640 feet to the Place of BEGINNING and containing 315.38 acres of land.~~

~~[TRACT II:~~

~~[FIELD NOTES FOR A 19.768 ACRE TRACT OF LAND, BEING 9.77 ACRES OUT OF THE C. BREEDING SURVEY, ABSTRACT 1467, AND 9.998 ACRES OUT OF THE L. BREEDING SURVEY, ABSTRACT 1468, AND BEING IN THE SOUTHEAST 1/4 OF SECTION 76, BLOCK 2 OF THE H. & T. C. R.R. COMPANY SURVEY, HARRIS COUNTY, TEXAS.~~

~~[BEGINNING at a 3/4 inch Iron Pipe found on the West line of Katy Hockley Road at the Southeast corner and Place of Beginning of the herein described 19.768 Acre Tract said point being located North 1319.4 feet and West 30 feet from a Railroad Spike found at the Southeast corner of Section 76 as located in the intersection of F.M. Highway 529 and Katy~~

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~~Hockley Road;~~

~~[THENCE West along the common line of the L. Breeding Survey, Abstract 1468, and the C. Breeding Survey, Abstract 1467, at 1289.44 feet pass the Southwest corner of the C. Breeding Survey, same being a reentry corner to the L. Breeding Survey, and continuing for a total distance of 2609.44 feet to a 1 1/4 inch Iron Pipe found in the East line of the W. B. Macomer Survey for the Southwest corner of the herein described 19.768 Acre Tract;~~

~~[THENCE North along the East line of said W. B. Macomer Survey, same being a West line of the L. Breeding Survey, 330 feet to a 5/8 inch Iron Rod set on said line for the Northwest corner of the herein described 19.768 Acre Tract;~~

~~[THENCE East along a line establishing the North line of the herein described 19.768 Acre Tract; 2609.44 feet to a 5/8 inch Iron Rod set in the West line of Katy Hockley Road for the Northeast corner of the herein described 19.768 Acre Tract of land;~~

~~[THENCE south along the West line of said Katy Hockley Road, 330 feet to the Place of BEGINNING and containing 19.768 acres of land.;FA1]~~

No equivalent provision.

SECTION __. (a) The Harris County Municipal Utility District No. 465 retains all rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

(b) Notwithstanding any other law, the Harris County Municipal Utility District No. 465 may continue to rely on any bond election held before the effective date of this Act.
[FA1]

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No equivalent provision.

No equivalent provision.

SENATE VERSION (IE)

SECTION __. (a) Any act or proceeding of the district, including an election, not excepted by this section and taken before the effective date of this Act, is validated and confirmed in all respects.

(b) This section does not apply to:

- (1) an act, proceeding, director, other official, bond, or other obligation the validity of which or of whom is the subject of litigation that is pending on the effective date of this Act; or
- (2) an act or proceeding that, under a statute of this state or the United States, was a misdemeanor or felony at the time the act or proceeding occurred. [FA1]

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

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

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

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished. [FA1]

CONFERENCE