

By: Lozano

H.B. No. 4275

Substitute the following for H.B. No. 4275:

By: Bell

C.S.H.B. No. 4275

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Ingleside Improvement District; providing authority to issue bonds; granting limited power of eminent domain; providing authority to impose assessments, fees, and 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 3794 to read as follows:

CHAPTER 3794. INGLESIDE IMPROVEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3794.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Ingleside.

(3) "County" means San Patricio County.

(4) "Director" means a board member.

(5) "District" means the Ingleside Improvement District.

Sec. 3794.002. NATURE OF DISTRICT. The Ingleside Improvement District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3794.003. PURPOSE; DECLARATION OF INTENT. (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

1 chapter. By creating the district and in authorizing the city, the  
2 county, and other political subdivisions to contract with the  
3 district, the legislature has established a program to accomplish  
4 the public purposes set out in Section 52-a, Article III, Texas  
5 Constitution.

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

11 (c) This chapter and the creation of the district may not be  
12 interpreted to relieve the city or the county from providing the  
13 level of services provided as of the effective date of the Act  
14 enacting this chapter to the area in the district. The district is  
15 created to supplement and not to supplant city or county services  
16 provided in the district.

17 Sec. 3794.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

18 (a) The district is created to serve a public use and benefit.

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

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

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

1           (2) eliminating unemployment and underemployment; and  
2           (3) developing or expanding transportation and  
3 commerce.

4           (d) The district will:

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

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

11           (3) promote the health, safety, welfare, and enjoyment  
12 of the public by providing pedestrian ways and by landscaping and  
13 developing certain areas in the district, which are necessary for  
14 the restoration, preservation, and enhancement of scenic beauty;

15           (4) provide road and recreational facilities for the  
16 district;

17           (5) provide for water facilities, wastewater  
18 facilities, drainage facilities, canals, waterways, bulkheads,  
19 docks, levees, and other similar improvements or facilities for the  
20 district;

21           (6) construct, operate, maintain, and improve  
22 navigable waterways, including the dredging of waterways,  
23 reclamation of land, and disposal of dredge materials; and

24           (7) provide land and infrastructure for educational  
25 facilities in the district.

26           (e) Pedestrian ways along or across a street, whether at  
27 grade or above or below the surface, and street lighting, street

1 landscaping, parking, and street art objects are parts of and  
2 necessary components of a street and are considered to be a street  
3 or road improvement.

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

7 (g) Levee facilities and improvements are:

8 (1) necessary and convenient for the use and  
9 implementation of the district's navigation facilities and  
10 improvements;

11 (2) necessary components of navigation facilities and  
12 improvements;

13 (3) considered to be navigation facilities and  
14 improvements; and

15 (4) necessary and convenient for the development and  
16 expansion of transportation in this state.

17 Sec. 3794.005. INITIAL DISTRICT TERRITORY. (a) The  
18 district is initially composed of the territory described by  
19 Section 2 of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

25 (2) right to issue any type of bonds for the purposes  
26 for which the district is created or to pay the principal of and  
27 interest on the bonds;

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

2           (4) legality or operation.

3           Sec. 3794.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

4 All or any part of the area of the district is eligible to be  
5 included in:

6           (1) a tax increment reinvestment zone created under  
7 Chapter 311, Tax Code;

8           (2) a tax abatement reinvestment zone created under  
9 Chapter 312, Tax Code;

10           (3) an enterprise zone created under Chapter 2303,  
11 Government Code; or

12           (4) an industrial district created under Chapter 42,  
13 Local Government Code.

14           Sec. 3794.007. APPLICABILITY OF MUNICIPAL MANAGEMENT  
15 DISTRICTS LAW. Except as otherwise provided by this chapter,  
16 Chapter 375, Local Government Code, applies to the district.

17           Sec. 3794.008. CONSTRUCTION OF CHAPTER. This chapter shall  
18 be liberally construed in conformity with the findings and purposes  
19 stated in this chapter.

20                   SUBCHAPTER B. BOARD OF DIRECTORS

21           Sec. 3794.051. GOVERNING BODY; TERMS. (a) The district is  
22 governed by a board of five voting directors who serve staggered  
23 terms of four years, with two or three directors' terms expiring  
24 June 1 of each odd-numbered year.

25           (b) The board by resolution may change the number of voting  
26 directors on the board if the board determines that the change is in  
27 the best interest of the district. The board may not consist of

1 fewer than 5 or more than 11 voting directors.

2 Sec. 3794.052. DIRECTOR QUALIFICATIONS. A person is  
3 eligible to serve as a director of the district only if the person  
4 meets the eligibility requirements to register as a voter in this  
5 state under Section 13.001, Election Code.

6 Sec. 3794.053. APPOINTMENT OF VOTING DIRECTORS. The mayor  
7 and members of the governing body of the city shall appoint voting  
8 directors from persons recommended by the board. A person is  
9 appointed if a majority of the members of the governing body,  
10 including the mayor, vote to appoint that person.

11 Sec. 3794.054. NONVOTING DIRECTORS. The board may appoint  
12 nonvoting directors to serve at the pleasure of the voting  
13 directors.

14 Sec. 3794.055. QUORUM. For purposes of determining the  
15 requirements for a quorum of the board, the following are not  
16 counted:

17 (1) a board position vacant for any reason, including  
18 death, resignation, or disqualification;

19 (2) a director who is abstaining from participation in  
20 a vote because of a conflict of interest; or

21 (3) a nonvoting director.

22 Sec. 3794.056. COMPENSATION. A director is entitled to  
23 receive fees of office and reimbursement for actual expenses as  
24 provided by Section 49.060, Water Code. Sections 375.069 and  
25 375.070, Local Government Code, do not apply to the board.

26 Sec. 3794.057. INITIAL VOTING DIRECTORS. (a) The initial  
27 board consists of the following voting directors:

	<u>Pos. No.</u>	<u>Name of Director</u>
1		
2	<u>1</u>	<u>Joseph Wetegrove</u>
3	<u>2</u>	<u>Richard Dupriest</u>
4	<u>3</u>	<u>Jane Helm</u>
5	<u>4</u>	<u>Steve Ray</u>
6	<u>5</u>	<u>Raymond Wetegrove</u>

7 (b) Of the initial directors, the terms of directors  
8 appointed for positions one through three expire June 1, 2021, and  
9 the terms of directors appointed for positions four and five expire  
10 June 1, 2019.

11 (c) Section 3794.053 does not apply to this section.

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 3794.101. GENERAL POWERS AND DUTIES. The district has  
14 the powers and duties necessary to accomplish the purposes for  
15 which the district is created.

16 Sec. 3794.102. IMPROVEMENT PROJECTS AND SERVICES. The  
17 district may provide, design, construct, acquire, improve,  
18 relocate, operate, maintain, or finance an improvement project or  
19 service using any money available to the district, or contract with  
20 a governmental or private entity to provide, design, construct,  
21 acquire, improve, relocate, operate, maintain, or finance an  
22 improvement project or service authorized under this chapter or  
23 Chapter 375, Local Government Code.

24 Sec. 3794.103. 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. 3794.104. 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. 3794.105. AGREEMENTS; GRANTS. (a) As provided by  
20 Chapter 375, Local Government Code, the district may make an  
21 agreement with or accept a gift or grant from any person. The  
22 district shall promptly notify the city of any gift or grant  
23 accepted by the district.

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

27 Sec. 3794.106. LAW ENFORCEMENT SERVICES. To protect the



1 public interest, the district may contract with a qualified party,  
2 including the county or the city, to provide law enforcement  
3 services in the district for a fee.

4 Sec. 3794.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The  
5 district may join and pay dues to a charitable or nonprofit  
6 organization that performs a service or provides an activity  
7 consistent with the furtherance of a district purpose.

8 Sec. 3794.108. ECONOMIC DEVELOPMENT. (a) The district may  
9 engage in activities that accomplish the economic development  
10 purposes of the district.

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

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

16 (2) provide district personnel and services.

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

19 (1) Chapter 380, Local Government Code, provides to a  
20 municipality; and

21 (2) Subchapter A, Chapter 1509, Government Code,  
22 provides to a municipality.

23 Sec. 3794.109. PARKING FACILITIES. (a) The district may  
24 acquire, lease as lessor or lessee, construct, develop, own,  
25 operate, and maintain parking facilities or a system of parking  
26 facilities, including lots, garages, parking terminals, or other  
27 structures or accommodations for parking motor vehicles off the

1 streets and related appurtenances.

2 (b) The district's parking facilities serve the public  
3 purposes of the district and are owned, used, and held for a public  
4 purpose even if leased or operated by a private entity for a term of  
5 years.

6 (c) The district's parking facilities are parts of and  
7 necessary components of a street and are considered to be a street  
8 or road improvement.

9 (d) The development and operation of the district's parking  
10 facilities may be considered an economic development program.

11 Sec. 3794.110. ANNEXATION OF LAND. (a) Subject to  
12 Subsection (b), the district may annex land as provided by  
13 Subchapter J, Chapter 49, Water Code.

14 (b) The district may not annex land in Nueces County or San  
15 Patricio County unless the Port of Corpus Christi Authority by  
16 ordinance or resolution consents to the annexation.

17 Sec. 3794.111. DISTRICT POWERS FOR CONSTRUCTING AND  
18 FINANCING PORT FACILITIES. (a) The district may exercise the  
19 powers of a navigation district provided by Sections 60.032 and  
20 60.034 and Subchapters E, G, I, L, M, and N, Chapter 60, Water Code,  
21 for the construction, maintenance, and financing of port facilities  
22 in the district. For purposes of this section, a reference to a  
23 commission in Chapter 60, Water Code, means the board.

24 (b) The district may purchase, construct, acquire, own,  
25 operate, maintain, improve, or extend, inside the district, a  
26 canal, waterway, bulkhead, dock, or other improvement or facility  
27 necessary or convenient to accomplish the navigation purposes of

1 the district.

2 Sec. 3794.112. AUTHORITY FOR ROAD PROJECTS. Under Section  
3 52, Article III, Texas Constitution, the district may design,  
4 acquire, construct, finance, issue bonds for, improve, operate,  
5 maintain, and convey to this state, a county, or a municipality for  
6 operation and maintenance macadamized, graveled, or paved roads or  
7 improvements, including storm drainage, in aid of those roads.

8 Sec. 3794.113. CONVEYANCE AND APPROVAL OF ROAD PROJECT.

9 (a) The district may convey a road project authorized by Section  
10 3794.112 to:

11 (1) the municipality or county that will operate and  
12 maintain the road if the municipality or county has approved the  
13 plans and specifications of the road project; or

14 (2) the state if the state will operate and maintain  
15 the road and the Texas Transportation Commission has approved the  
16 plans and specifications of the road project.

17 (b) Except as provided by Subsection (c), the district shall  
18 operate and maintain a road project authorized by Section 3794.112  
19 that the district implements and does not convey to a municipality,  
20 a county, or this state under Subsection (a).

21 (c) The district may agree in writing with a municipality, a  
22 county, or this state to assign operation and maintenance duties to  
23 the district, the municipality, the county, or this state in a  
24 manner other than the manner described in Subsections (a) and (b).

25 Sec. 3794.114. CONSENT OF CITY REQUIRED. The district may  
26 not take any of the following actions until the city has consented  
27 by ordinance or resolution to the creation of the district and to

1 the inclusion of land in the district:

- 2 (1) hold an election under Subchapter L, Chapter 375,
- 3 Local Government Code;
- 4 (2) impose an ad valorem tax;
- 5 (3) impose an assessment;
- 6 (4) issue bonds; or
- 7 (5) enter into an agreement to reimburse the costs of
- 8 facilities.

9 Sec. 3794.115. LIMITATION ON USE OF EMINENT DOMAIN. The  
10 district may not exercise the power of eminent domain outside the  
11 district boundaries to acquire:

- 12 (1) a site for a water treatment plant, water storage
- 13 facility, wastewater treatment plant, or wastewater disposal
- 14 plant;
- 15 (2) a site for a park, swimming pool, or other
- 16 recreational facility, as defined by Section 49.462, Water Code;
- 17 (3) an exclusive easement through a county regional
- 18 park; or
- 19 (4) a site or easement for a road project.

20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

21 Sec. 3794.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
22 board by resolution shall establish the number of directors'  
23 signatures and the procedure required for a disbursement or  
24 transfer of district money.

25 Sec. 3794.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
26 The district may acquire, construct, finance, operate, or maintain  
27 any improvement or service authorized under this chapter or Chapter

1 375, Local Government Code, using any money available to the  
2 district.

3 Sec. 3794.153. PETITION REQUIRED FOR FINANCING SERVICES AND  
4 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
5 service or improvement project with assessments under this chapter  
6 unless a written petition requesting that service or improvement  
7 has been filed with the board.

8 (b) A petition filed under Subsection (a) must be signed by  
9 the owners of a majority of the assessed value of real property in  
10 the district subject to assessment according to the most recent  
11 certified tax appraisal roll for the county.

12 Sec. 3794.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

13 (a) The board by resolution may impose and collect an assessment  
14 for any purpose authorized by this chapter in all or any part of the  
15 district.

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

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

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

26 (3) are the personal liability of and a charge against  
27 the owners of the property even if the owners are not named in the

1 assessment proceedings.

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

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

10 Sec. 3794.155. CERTAIN RESIDENTIAL PROPERTY EXEMPT. (a)  
11 Section 375.161, Local Government Code, applies to the district.

12 (b) To the extent of any conflict or inconsistency, Section  
13 375.161, Local Government Code, prevails over any provision of this  
14 chapter.

15 SUBCHAPTER E. TAXES AND BONDS

16 Sec. 3794.201. ELECTIONS REGARDING TAXES AND BONDS.

17 (a) The district may issue, without an election, bonds, notes, and  
18 other obligations secured by:

19 (1) revenue other than ad valorem taxes; or

20 (2) contract payments described by Section 3794.203.

21 (b) The district must hold an election in the manner  
22 provided by Subchapter L, Chapter 375, Local Government Code, to  
23 obtain voter approval before the district may impose an ad valorem  
24 tax or issue bonds payable from ad valorem taxes.

25 (c) Section 375.243, Local Government Code, does not apply  
26 to the district.

27 (d) All or any part of any facilities or improvements that

1 may be acquired by a district by the issuance of its bonds may be  
2 submitted as a single proposition or as several propositions to be  
3 voted on at the election.

4 Sec. 3794.202. OPERATION AND MAINTENANCE TAX. (a) If  
5 authorized by a majority of the district voters voting at an  
6 election held in accordance with Section 3794.201, the district may  
7 impose an operation and maintenance tax on taxable property in the  
8 district in accordance with Section 49.107, Water Code, for any  
9 district purpose, including to:

- 10 (1) maintain and operate the district;  
11 (2) construct or acquire improvements; or  
12 (3) provide a service.

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

15 (c) Section 49.107(h), Water Code, does not apply to the  
16 district.

17 Sec. 3794.203. CONTRACT TAXES. (a) In accordance with  
18 Section 49.108, Water Code, the district may impose a tax other than  
19 an operation and maintenance tax and use the revenue derived from  
20 the tax to make payments under a contract after the provisions of  
21 the contract have been approved by a majority of the district voters  
22 voting at an election held for that purpose.

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

26 Sec. 3794.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS  
27 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms

1 determined by the board. Section 375.205, Local Government Code,  
2 does not apply to a loan, line of credit, or other borrowing from a  
3 bank or financial institution secured by revenue other than ad  
4 valorem taxes.

5 (b) The district may issue bonds, notes, or other  
6 obligations payable wholly or partly from ad valorem taxes,  
7 assessments, impact fees, revenue, contract payments, grants, or  
8 other district money, or any combination of those sources of money,  
9 to pay for any authorized district purpose.

10 Sec. 3794.205. TAXES FOR BONDS. At the time the district  
11 issues bonds payable wholly or partly from ad valorem taxes, the  
12 board shall provide for the annual imposition of a continuing  
13 direct annual ad valorem tax, without limit as to rate or amount,  
14 for each year that all or part of the bonds are outstanding as  
15 required and in the manner provided by Sections 54.601 and 54.602,  
16 Water Code.

17 Sec. 3794.206. CITY NOT REQUIRED TO PAY DISTRICT  
18 OBLIGATIONS. Except as provided by Section 375.263, Local  
19 Government Code, the city is not required to pay a bond, note, or  
20 other obligation of the district.

21 SUBCHAPTER F. DISSOLUTION

22 Sec. 3794.251. DISSOLUTION BY BOARD. The board by order may  
23 dissolve the district at any time unless the district has  
24 outstanding indebtedness or contractual obligations.

25 Sec. 3794.252. DISSOLUTION BY PETITION AND ELECTION. (a)  
26 If the district has no outstanding indebtedness or contractual  
27 liabilities, the owners of a majority of the assessed value of



1 property subject to assessment by the district may petition the  
2 board to call an election on the question of dissolving the  
3 district.

4 (b) On the board's receipt of a petition described by  
5 Subsection (a), the board shall call an election on the question of  
6 dissolving the district.

7 (c) If a majority of the voters of the district voting at an  
8 election called under Subsection (b) vote to dissolve the district,  
9 the board by order shall dissolve the district.

10 (d) After the date the district is dissolved, the district  
11 may not impose taxes.

12 Sec. 3794.253. ADMINISTRATION OF DISTRICT PROPERTY  
13 FOLLOWING DISSOLUTION. (a) After the date the board orders the  
14 dissolution of the district, the board shall transfer ownership of  
15 all district property to the county, except as provided by  
16 Subsection (b).

17 (b) If, on the date on which the board orders the  
18 dissolution, more than 50 percent of the district territory is in a  
19 municipality, the board shall transfer ownership of the district's  
20 property to the municipality.

21 SECTION 2. The Ingleside Improvement District initially  
22 includes all territory contained in the following area:

23 Being 625 acres, more or less, out of the Wm McDonough Survey,  
24 Abstract 184, the R.S. Williamson Survey, Abstract 283, the Edmond  
25 St. John Survey, Abstract 250, the Louis Von Zacharias Survey,  
26 Abstract 272, and the John Robinson Survey, Abstract 226, all  
27 tracts located in the City of Ingleside, San Patricio County,

1 Texas.

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

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

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

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

20 SECTION 4. (a) Section 3794.115, Special District Local  
21 Laws Code, as added by Section 1 of this Act, takes effect only if  
22 this Act receives a two-thirds vote of all the members elected to  
23 each house.

24 (b) If this Act does not receive a two-thirds vote of all the  
25 members elected to each house, Subchapter C, Chapter 3794, Special  
26 District Local Laws Code, as added by Section 1 of this Act, is  
27 amended by adding Section 3794.115 to read as follows:

1        Sec. 3794.115. NO EMINENT DOMAIN POWER. The district may  
2 not exercise the power of eminent domain.

3            (c) This section is not intended to be an expression of a  
4 legislative interpretation of the requirements of Section 17(c),  
5 Article I, Texas Constitution.

6            SECTION 5. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2017.