

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Reynolds

H.B. No. 2938

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the Sienna Plantation Levee Improvement District of  
3 Fort Bend County, Texas.

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

5 SECTION 1. Sections 1 and 8, Chapter 986, Acts of the 78th  
6 Legislature, Regular Session, 2003, are amended to read as follows:

7 Sec. 1. AUTHORITY. The Sienna Plantation Levee  
8 Improvement District of Fort Bend County, Texas, is a conservation  
9 and reclamation district created under the authority of Section 59,  
10 Article XVI, and Section 52, Article III, Texas Constitution. It is  
11 granted road utility district authority under Section 52(b)(3),  
12 Article III, Texas Constitution, and Chapter 441, Transportation  
13 Code, including the authority to repair and maintain streets and  
14 roadways in the district. In addition, the district has the powers  
15 of a metropolitan rapid transit authority under Section 451.065,  
16 Transportation Code, provided, however, that Section 451.065(d),  
17 Transportation Code, shall not apply to the district.

18 Sec. 8. BONDS. (a) The district may issue bonds, notes,  
19 and other obligations secured by revenues or contract payments from  
20 any lawful source other than ad valorem taxation without an  
21 election. The district may issue bonds, notes, and other  
22 obligations secured in whole or in part by ad valorem taxation, and  
23 levy ad valorem taxes for the payment thereof, only if the issuance  
24 is approved by a two-thirds majority of the voters of the district

1 voting at an election called and held for that purpose.

2 (b) Section 49.181, Water Code, does not apply to bonds  
3 issued by the district under Section 49.4645, Water Code, if the  
4 bonds are not intended to reimburse a developer in the district.

5 (c) The outstanding principal amount of bonds, notes, and  
6 other obligations issued to finance parks and recreational  
7 facilities supported by ad valorem taxation may not exceed an  
8 amount equal to two percent of the taxable property in the district.

9 SECTION 2. (a) The legislature validates and confirms all  
10 acts and proceedings of the board of directors of the Sienna  
11 Plantation Levee Improvement District of Fort Bend County, Texas,  
12 that were taken before the effective date of this Act.

13 (b) Subsection (a) of this section does not apply to any  
14 matter that on the effective date of this Act:

15 (1) is involved in litigation if the litigation  
16 ultimately results in the matter being held invalid by a final  
17 judgment of a court; or

18 (2) has been held invalid by a final judgment of a  
19 court.

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

27 (b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on  
2 Environmental Quality.

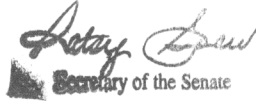
3 (c) The Texas Commission on Environmental Quality has filed  
4 its recommendations relating to this Act with the governor, the  
5 lieutenant governor, and the speaker of the house of  
6 representatives within the required time.

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

11 SECTION 4. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2017.

# ADOPTED

MAY 24 2017



By: Joan Huffman

H.B. No. 2938

Substitute the following for H.B. No. 2938:

By: [Signature]

C.S.H.B. No. 2938

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

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11 granted road utility district authority under Section 52(b)(3),  
12 Article III, Texas Constitution, and Chapter 441, Transportation  
13 Code, including the authority to repair and maintain streets and  
14 roadways in the district. In addition, the district has the powers  
15 of a metropolitan rapid transit authority under Section 451.065,  
16 Transportation Code, provided, however, that Section 451.065(d),  
17 Transportation Code, shall not apply to the district.

18 Sec. 8. BONDS. (a) The district may issue bonds, notes,  
19 and other obligations secured by revenues or contract payments from  
20 any lawful source other than ad valorem taxation without an  
21 election. The district may issue bonds, notes, and other  
22 obligations secured in whole or in part by ad valorem taxation, and  
23 levy ad valorem taxes for the payment thereof, only if the issuance  
24 is approved by a two-thirds majority of the voters of the district

1 voting at an election called and held for that purpose.

2 (b) The outstanding principal amount of bonds, notes, and  
3 other obligations issued to finance parks and recreational  
4 facilities supported by ad valorem taxation may not exceed an  
5 amount equal to two percent of the taxable property in the district.

6 SECTION 2. (a) The legislature validates and confirms all  
7 acts and proceedings of the board of directors of the Sienna  
8 Plantation Levee Improvement District of Fort Bend County, Texas,  
9 that were taken before the effective date of this Act.

10 (b) Subsection (a) of this section does not apply to any  
11 matter that on the effective date of this Act:

12 (1) is involved in litigation if the litigation  
13 ultimately results in the matter being held invalid by a final  
14 judgment of a court; or

15 (2) has been held invalid by a final judgment of a  
16 court.

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

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

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the  
2 lieutenant governor, and the speaker of the house of  
3 representatives within the required time.

4 (d) All requirements of the constitution and laws of this  
5 state and the rules and procedures of the legislature with respect  
6 to the notice, introduction, and passage of this Act are fulfilled  
7 and accomplished.

8 SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2017.

ADOPTED

MAY 24 2017

*Lotay Spaul*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: Joan Huffman

1 Amend C.S.H.B. No. 2938 (senate committee report) in SECTION  
2 1 of the bill, in amended Section 8, Chapter 986, Acts of the 78th  
3 Legislature, Regular Session, 2003 (page 1, between lines 46 and  
4 47), by inserting Subsection (c) to read as follows:

5 (c) Notwithstanding Subsection (b), the outstanding  
6 principal balance of bonds, notes, and other obligations to finance  
7 parks and recreational facilities supported by ad valorem taxation  
8 authorized by an election held before January 1, 2017, may not  
9 exceed an amount equal to one percent of the taxable property in the  
10 district unless a majority of the voters voting in an election held  
11 for that purpose after the effective date of the Act enacting this  
12 subsection approve a proposition authorizing the issuance of  
13 additional bonds, notes, or other obligations to finance parks and  
14 recreational facilities supported by ad valorem taxation in a total  
15 outstanding principal balance not to exceed two percent of the  
16 taxable property in the district.

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 24, 2017

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2938** by Reynolds (Relating to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas. ), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

The bill would amend Chapter 986, Acts of the 78th Legislature, Regular Session, 2003 related to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas. The bill would limit the outstanding principal of bonds, notes, and other obligations issued to finance parks and recreational facilities supported by ad valorem taxation to not exceed an amount equal to one percent of the taxable property in the district unless a majority of voters approve a proposition increasing the maximum to two percent of the taxable property in the district.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SZ, JGA, GG, BM



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 18, 2017**

**TO:** Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2938** by Reynolds (relating to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would amend Chapter 986, Acts of the 78th Legislature, Regular Session, 2003 related to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas. The bill would limit the outstanding principal of bonds, notes, and other obligations issued to finance parks and recreational facilities supported by ad valorem taxation to not exceed an amount equal to two percent of the taxable property in the district.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SZ, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 10, 2017**

**TO:** Honorable Charles Perry, Chair, Senate Committee on Agriculture, Water & Rural Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2938** by Reynolds (Relating to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would amend Chapter 986, Acts of the 78th Legislature, Regular Session, 2003 related to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas. The bill would limit the outstanding principal of bonds, notes, and other obligations issued to finance parks and recreational facilities supported by ad valorem taxation to not exceed an amount equal to two percent of the taxable property in the district.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, SZ, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 19, 2017**

**TO:** Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2938** by Reynolds (Relating to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend Chapter 986, Acts of the 78th Legislature, Regular Session, 2003 related to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas. The bill would limit the outstanding principal of bonds, notes, and other obligations issued to finance parks and recreational facilities supported by ad valorem taxation to not exceed an amount equal to two percent of the taxable property in the district.

The bill would take effect immediately if the bill receives a two-thirds vote in each house; otherwise the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**85TH LEGISLATIVE REGULAR SESSION**

**April 15, 2017**

**TO:** Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2938** by Reynolds (Relating to the Sienna Plantation Levee Improvement District of Fort Bend County, Texas.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ) has determined that:

No Water Development Policy Impact Statement will be prepared for this bill under the provisions of Texas Constitution, Article 16, Section 59(d) as this bill does not create a conservation and reclamation district.

**Source Agencies:** 582 Commission on Environmental Quality, 580 Water Development Board

**LBB Staff:** UP, SZ