

1-1 By: Metcalf (Senate Sponsor - Nichols) H.B. No. 2380
1-2 (In the Senate - Received from the House April 29, 2019;
1-3 April 29, 2019, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 9, 2019, reported favorably by
1-5 the following vote: Yeas 7, Nays 0; May 9, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the creation of the Montgomery County Municipal Utility
1-18 District No. 173; granting a limited power of eminent domain;
1-19 providing authority to issue bonds; providing authority to impose
1-20 assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-23 Code, is amended by adding Chapter 8077 to read as follows:

1-24 CHAPTER 8077. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 173

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 8077.0101. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.

1-28 (2) "Commission" means the Texas Commission on
1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Montgomery County Municipal
1-32 Utility District No. 173.

1-33 Sec. 8077.0102. NATURE OF DISTRICT. The district is a
1-34 municipal utility district created under Section 59, Article XVI,
1-35 Texas Constitution.

1-36 Sec. 8077.0103. CONFIRMATION AND DIRECTOR ELECTION
1-37 REQUIRED. The temporary directors shall hold an election to
1-38 confirm the creation of the district and to elect five permanent
1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 8077.0104. CONSENT OF MUNICIPALITY REQUIRED. The
1-41 temporary directors may not hold an election under Section
1-42 8077.0103 until each municipality in whose corporate limits or
1-43 extraterritorial jurisdiction the district is located has
1-44 consented by ordinance or resolution to the creation of the
1-45 district and to the inclusion of land in the district.

1-46 Sec. 8077.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by
1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that
1-52 relate to the construction, acquisition, improvement, operation,
1-53 or maintenance of macadamized, graveled, or paved roads, or
1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 8077.0106. INITIAL DISTRICT TERRITORY. (a) The
1-56 district is initially composed of the territory described by
1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of
1-59 the Act enacting this chapter form a closure. A mistake made in the
1-60 field notes or in copying the field notes in the legislative process
1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 8077.0201. GOVERNING BODY; TERMS. (a) The district is
 2-9 governed by a board of five elected directors.
 2-10 (b) Except as provided by Section 8077.0202, directors
 2-11 serve staggered four-year terms.

2-12 Sec. 8077.0202. TEMPORARY DIRECTORS. (a) The temporary
 2-13 board consists of:

- 2-14 (1) Will Holstein;
- 2-15 (2) Adam Flaaten;
- 2-16 (3) Juan Galvan;
- 2-17 (4) Lisa Nickel; and
- 2-18 (5) Justin Hausman.

2-19 (b) Temporary directors serve until the earlier of:
 2-20 (1) the date permanent directors are elected under
 2-21 Section 8077.0103; or
 2-22 (2) the fourth anniversary of the effective date of
 2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under
 2-25 Section 8077.0103 and the terms of the temporary directors have
 2-26 expired, successor temporary directors shall be appointed or
 2-27 reappointed as provided by Subsection (d) to serve terms that
 2-28 expire on the earlier of:

- 2-29 (1) the date permanent directors are elected under
 2-30 Section 8077.0103; or
- 2-31 (2) the fourth anniversary of the date of the
 2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a
 2-34 majority of the assessed value of the real property in the district
 2-35 may submit a petition to the commission requesting that the
 2-36 commission appoint as successor temporary directors the five
 2-37 persons named in the petition. The commission shall appoint as
 2-38 successor temporary directors the five persons named in the
 2-39 petition.

SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 8077.0301. GENERAL POWERS AND DUTIES. The district
 2-42 has the powers and duties necessary to accomplish the purposes for
 2-43 which the district is created.

2-44 Sec. 8077.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-45 DUTIES. The district has the powers and duties provided by the
 2-46 general law of this state, including Chapters 49 and 54, Water Code,
 2-47 applicable to municipal utility districts created under Section 59,
 2-48 Article XVI, Texas Constitution.

2-49 Sec. 8077.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-50 52, Article III, Texas Constitution, the district may design,
 2-51 acquire, construct, finance, issue bonds for, improve, operate,
 2-52 maintain, and convey to this state, a county, or a municipality for
 2-53 operation and maintenance macadamized, graveled, or paved roads, or
 2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 8077.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-56 road project must meet all applicable construction standards,
 2-57 zoning and subdivision requirements, and regulations of each
 2-58 municipality in whose corporate limits or extraterritorial
 2-59 jurisdiction the road project is located.

2-60 (b) If a road project is not located in the corporate limits
 2-61 or extraterritorial jurisdiction of a municipality, the road
 2-62 project must meet all applicable construction standards,
 2-63 subdivision requirements, and regulations of each county in which
 2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the
 2-66 Texas Transportation Commission must approve the plans and
 2-67 specifications of the road project.

2-68 Sec. 8077.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 2-69 ORDINANCE OR RESOLUTION. The district shall comply with all

3-1 applicable requirements of any ordinance or resolution that is
 3-2 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-3 consents to the creation of the district or to the inclusion of land
 3-4 in the district.
 3-5 Sec. 8077.0306. DIVISION OF DISTRICT. (a) The district may
 3-6 be divided into two or more new districts only if the district:
 3-7 (1) has no outstanding bonded debt; and
 3-8 (2) is not imposing ad valorem taxes.
 3-9 (b) This chapter applies to any new district created by the
 3-10 division of the district, and a new district has all the powers and
 3-11 duties of the district.
 3-12 (c) Any new district created by the division of the district
 3-13 may, at the time the new district is created, contain only:
 3-14 (1) land within the area described by Section 2 of the
 3-15 Act enacting this chapter; or
 3-16 (2) any land adjacent to the area described by Section
 3-17 2 of the Act enacting this chapter if that adjacent land is:
 3-18 (A) not within the extraterritorial jurisdiction
 3-19 of a city; or
 3-20 (B) within the extraterritorial jurisdiction of
 3-21 a city and that adjacent land has been approved for inclusion in the
 3-22 district under the consent ordinance or resolution adopted by a
 3-23 city under Section 8077.0104.
 3-24 (d) The board, on its own motion or on receipt of a petition
 3-25 signed by the owner or owners of a majority of the assessed value of
 3-26 the real property in the district, may adopt an order dividing the
 3-27 district.
 3-28 (e) The board may adopt an order dividing the district
 3-29 before or after the date the board holds an election under Section
 3-30 8077.0103 to confirm the district's creation.
 3-31 (f) An order dividing the district must:
 3-32 (1) name each new district;
 3-33 (2) include the metes and bounds description of the
 3-34 territory of each new district;
 3-35 (3) appoint temporary directors for each new district;
 3-36 and
 3-37 (4) provide for the division of assets and liabilities
 3-38 between or among the new districts.
 3-39 (g) On or before the 30th day after the date of adoption of
 3-40 an order dividing the district, the district shall file the order
 3-41 with the Texas Commission on Environmental Quality and record the
 3-42 order in the real property records of each county in which the
 3-43 district is located.
 3-44 (h) Any new district created by the division of the district
 3-45 shall hold a confirmation and directors' election as required by
 3-46 Section 8077.0103.
 3-47 (i) Municipal consent by a city is not required for the
 3-48 creation of any new district created under this section.
 3-49 (j) Any new district created by the division of the district
 3-50 must hold an election as required by this chapter to obtain voter
 3-51 approval before the district may impose a maintenance tax or issue
 3-52 bonds payable wholly or partly from ad valorem taxes.
 3-53 (k) If the voters of a new district do not confirm the
 3-54 creation of the new district, the assets, obligations, territory,
 3-55 and governance of the new district revert to that of the original
 3-56 district.
 3-57 Sec. 8077.0307. LIMITATION ON USE OF EMINENT DOMAIN. The
 3-58 district may not exercise the power of eminent domain outside the
 3-59 district boundaries to acquire a site or easement for:
 3-60 (1) a recreational facility, as defined by Section
 3-61 49.462, Water Code; or
 3-62 (2) a road project authorized by Section 8077.0303.
 3-63 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
 3-64 Sec. 8077.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
 3-65 The district may issue, without an election, bonds and other
 3-66 obligations secured by:
 3-67 (1) revenue other than ad valorem taxes; or
 3-68 (2) contract payments described by Section 8077.0403.
 3-69 (b) The district must hold an election in the manner

4-1 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 4-2 before the district may impose an ad valorem tax or issue bonds
 4-3 payable from ad valorem taxes.

4-4 (c) The district may not issue bonds payable from ad valorem
 4-5 taxes to finance a road project unless the issuance is approved by a
 4-6 vote of a two-thirds majority of the district voters voting at an
 4-7 election held for that purpose.

4-8 Sec. 8077.0402. OPERATION AND MAINTENANCE TAX. (a) If
 4-9 authorized at an election held under Section 8077.0401, the
 4-10 district may impose an operation and maintenance tax on taxable
 4-11 property in the district in accordance with Section 49.107, Water
 4-12 Code.

4-13 (b) The board shall determine the tax rate. The rate may not
 4-14 exceed the rate approved at the election.

4-15 Sec. 8077.0403. CONTRACT TAXES. (a) In accordance with
 4-16 Section 49.108, Water Code, the district may impose a tax other than
 4-17 an operation and maintenance tax and use the revenue derived from
 4-18 the tax to make payments under a contract after the provisions of
 4-19 the contract have been approved by a majority of the district voters
 4-20 voting at an election held for that purpose.

4-21 (b) A contract approved by the district voters may contain a
 4-22 provision stating that the contract may be modified or amended by
 4-23 the board without further voter approval.

4-24 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-25 Sec. 8077.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 4-26 OBLIGATIONS. The district may issue bonds or other obligations
 4-27 payable wholly or partly from ad valorem taxes, impact fees,
 4-28 revenue, contract payments, grants, or other district money, or any
 4-29 combination of those sources, to pay for any authorized district
 4-30 purpose.

4-31 Sec. 8077.0502. TAXES FOR BONDS. At the time the district
 4-32 issues bonds payable wholly or partly from ad valorem taxes, the
 4-33 board shall provide for the annual imposition of a continuing
 4-34 direct ad valorem tax, without limit as to rate or amount, while all
 4-35 or part of the bonds are outstanding as required and in the manner
 4-36 provided by Sections 54.601 and 54.602, Water Code.

4-37 Sec. 8077.0503. BONDS FOR ROAD PROJECTS. At the time of
 4-38 issuance, the total principal amount of bonds or other obligations
 4-39 issued or incurred to finance road projects and payable from ad
 4-40 valorem taxes may not exceed one-fourth of the assessed value of the
 4-41 real property in the district.

4-42 SECTION 2. The Montgomery County Municipal Utility District
 4-43 No. 173 initially includes all the territory contained in the
 4-44 following area:

4-45 A METES & BOUNDS description of a certain 170.1 acre (7,411,386
 4-46 square feet) tract of land situated in the Joseph Lindley Survey,
 4-47 Abstract No. 25 in Montgomery County, Texas, being all of a called
 4-48 169.059 acre tract conveyed to Ranch Hill Texas, LLC by Special
 4-49 Warranty Deed recorded in Clerk's File No. 2018049384, Montgomery
 4-50 County Official Public Records of Real Property; said 170.1 acre
 4-51 (7,411,386 square feet) tract of land being more particularly
 4-52 described as follows with all bearings being based on the Texas
 4-53 Coordinate System, Central Zone, NAD 83:

4-54 BEGINNING at a 1/2-inch iron rod found being the southwest corner of
 4-55 a called 10.00 acre tract conveyed to Robert W. Bucher by Warranty
 4-56 Deed recorded in Clerk's File No. 2002016103, Montgomery County
 4-57 Official Public Records of Real Property, being in the north
 4-58 right-of-way of Calvary Road (based on a width of 80 feet), and
 4-59 being the southeast corner of said 169.059 acre tract and the herein
 4-60 described tract;

4-61 THENCE, North 77°24'58" West, 1,673.57 feet to a 1/2-inch iron pipe
 4-62 found being in the north right-of-way of said Calvary Road and being
 4-63 an angle point of the herein described tract;

4-64 THENCE, North 77°03'14" West, 1,096.54 feet to a point for corner
 4-65 being in the north right-of-way of said Calvary Road, being the
 4-66 southeast corner of a called 4.9839 acre tract conveyed to Clyde and
 4-67 Sharon Scruggs by Warranty Deed recorded in Clerk's File
 4-68 No. 8507804, Montgomery County Official Public Records of Real
 4-69 Property, being in the centerline of a creek, and being the

- 5-1 southwest corner of the herein described tract;
- 5-2 THENCE, along the centerline of said creek the following
- 5-3 seventy-three (73) courses and distances:
- 5-4 1. North 16°00'53" East, 51.75 feet to a point for corner;
- 5-5 2. North 76°46'26" East, 69.85 feet to a point for corner;
- 5-6 3. North 78°52'59" East, 48.13 feet to a point for corner;
- 5-7 4. North 51°38'11" East, 50.85 feet to a point for corner;
- 5-8 5. North 11°33'41" East, 37.07 feet to a point for corner;
- 5-9 6. North 52°12'40" East, 28.54 feet to a point for corner;
- 5-10 7. North 51°50'02" West, 24.97 feet to a point for corner;
- 5-11 8. North 88°11'32" East, 35.50 feet to a point for corner;
- 5-12 9. North 29°32'26" East, 110.78 feet to a point for corner;
- 5-13 10. North 75°15'58" East, 68.34 feet to a point for corner;
- 5-14 11. South 51°48'30" East, 50.53 feet to a point for corner;
- 5-15 12. North 79°13'23" East, 40.81 feet to a point for corner;
- 5-16 13. North 04°40'00" West, 136.22 feet to a point for corner;
- 5-17 14. North 32°07'37" East, 60.12 feet to a point for corner;
- 5-18 15. North 46°36'30" East, 57.30 feet to a point for corner;
- 5-19 16. North 21°11'07" West, 54.47 feet to a point for corner;
- 5-20 17. North 02°52'33" East, 76.04 feet to a point for corner;
- 5-21 18. North 30°36'40" East, 45.00 feet to a point for corner;
- 5-22 19. South 46°17'54" East, 52.83 feet to a point for corner;
- 5-23 20. North 67°43'12" East, 31.12 feet to a point for corner;
- 5-24 21. North 27°10'54" East, 22.94 feet to a point for corner;
- 5-25 22. North 76°09'31" East, 96.44 feet to a point for corner;
- 5-26 23. North 18°14'48" East, 65.58 feet to a point for corner;
- 5-27 24. North 75°18'54" East, 80.12 feet to a point for corner;
- 5-28 25. North 17°19'16" East, 64.17 feet to a point for corner;
- 5-29 26. North 31°12'56" East, 40.21 feet to a point for corner;
- 5-30 27. South 56°34'55" East, 74.19 feet to a point for corner;
- 5-31 28. North 58°03'36" East, 43.72 feet to a point for corner;
- 5-32 29. North 15°16'42" East, 34.96 feet to a point for corner;
- 5-33 30. North 26°46'27" West, 101.00 feet to a point for corner;
- 5-34 31. North 77°07'08" West, 45.13 feet to a point for corner;
- 5-35 32. South 23°52'02" West, 33.69 feet to a point for corner;
- 5-36 33. North 34°55'39" West, 30.58 feet to a point for corner;
- 5-37 34. North 04°43'54" East, 139.56 feet to a point for corner;
- 5-38 35. North 49°52'03" East, 80.12 feet to a point for corner;
- 5-39 36. North 36°59'46" West, 32.71 feet to a point for corner;
- 5-40 37. South 83°09'49" West, 89.05 feet to a point for corner;
- 5-41 38. North 01°08'58" West, 51.10 feet to a point for corner;
- 5-42 39. South 89°33'42" East, 70.61 feet to a point for corner;
- 5-43 40. North 18°08'04" West, 82.98 feet to a point for corner;
- 5-44 41. North 65°47'07" East, 72.32 feet to a point for corner;
- 5-45 42. North 21°45'28" West, 108.76 feet to a point for corner;
- 5-46 43. North 46°54'26" West, 27.86 feet to a point for corner;
- 5-47 44. South 36°24'46" West, 124.21 feet to a point for corner;
- 5-48 45. South 68°31'55" West, 89.46 feet to a point for corner;
- 5-49 46. North 30°02'30" West, 27.92 feet to a point for corner;
- 5-50 47. North 28°45'23" East, 259.17 feet to a point for corner;
- 5-51 48. North 87°35'41" West, 34.55 feet to a point for corner;
- 5-52 49. North 06°02'38" West, 64.31 feet to a point for corner;
- 5-53 50. North 25°43'30" East, 160.41 feet to a point for corner;
- 5-54 51. North 59°50'48" East, 35.64 feet to a point for corner;
- 5-55 52. South 66°51'12" East, 139.24 feet to a point for corner;
- 5-56 53. North 08°39'49" West, 81.92 feet to a point for corner;
- 5-57 54. North 37°22'23" East, 22.36 feet to a point for corner;
- 5-58 55. North 84°25'14" East, 89.59 feet to a point for corner;
- 5-59 56. North 62°53'36" East, 76.60 feet to a point for corner;
- 5-60 57. North 38°15'50" East, 91.56 feet to a point for corner;
- 5-61 58. North 18°02'10" West, 49.23 feet to a point for corner;
- 5-62 59. South 79°22'47" West, 69.62 feet to a point for corner;
- 5-63 60. North 33°01'08" West, 74.41 feet to a point for corner;
- 5-64 61. North 08°50'51" East, 48.23 feet to a point for corner;
- 5-65 62. North 51°01'41" East, 112.70 feet to a point for corner;
- 5-66 63. North 11°32'20" West, 26.25 feet to a point for corner;
- 5-67 64. North 75°58'54" West, 40.13 feet to a point for corner;
- 5-68 65. North 17°13'17" West, 48.25 feet to a point for corner;
- 5-69 66. North 35°42'48" East, 50.95 feet to a point for corner;

6-1 67. South 84°04'38" East, 35.18 feet to a point for corner;
6-2 68. South 05°17'32" East, 59.68 feet to a point for corner;
6-3 69. North 47°45'11" East, 63.33 feet to a point for corner;
6-4 70. North 09°16'24" West, 123.17 feet to a point for corner;
6-5 71. South 86°42'10" West, 77.72 feet to a point for corner;
6-6 72. North 52°41'46" West, 47.11 feet to a point for corner;
6-7 73. North 36°16'41" East, 233.03 feet to a point for corner being
6-8 the northeast corner of called Lot 1 conveyed to Adrian and Daniela
6-9 Gianina Rotaru by Warranty Deed with Vendor's Lien recorded in
6-10 Clerk's File No. 2017053987, Montgomery County Official Public
6-11 Records of Real Property, being the southeast corner of called
6-12 Tract 3 (Lot 35) conveyed to Bruce W. Tubbs and Maria Caughman by
6-13 Warranty Deed with Vendor's Lien recorded in Clerk's File
6-14 No. 2016082401, Montgomery County Official Public Records of Real
6-15 Property, being the most westerly corner of a called 443.135 acre
6-16 tract conveyed to CC Shepard Hill 443, L.P. by Special Warranty Deed
6-17 with Vendor's Lien recorded in Clerk's File No. 2018025658,
6-18 Montgomery County Official Public Records of Real Property, and
6-19 being the northwest corner of the herein described tract;
6-20 THENCE, South 77°18'54" East, at 14.59 feet passing a 1/2-inch iron
6-21 rod found being in the south line of said called 443.135 acre tract,
6-22 continuing for a total distance of 2,410.63 feet to a 5/8-inch iron
6-23 rod with cap found being an interior angle point of said called
6-24 443.135 acre tract and being the northeast corner of said 169.059
6-25 acre tract and the herein described tract;
6-26 THENCE, South 03°58'29" West, 1,540.88 feet to a wooden fence post
6-27 found being the most southerly corner of said called 443.135 acre
6-28 tract, being the northwest corner of a called 131.172 acre tract
6-29 conveyed to Barton J. and Melissa Halbaedier by Warranty Deed with
6-30 Vendor's Lien recorded in Clerk's File No. 2004022169, Montgomery
6-31 County Official Public Records of Real Property, and being an angle
6-32 point of the herein described tract;
6-33 THENCE, South 04°00'54" West, 730.23 feet to a wooden fence post
6-34 found being the southwest corner of said called 131.172 acre tract,
6-35 being in the north line of said called 10.00 acre tract and being an
6-36 angle point of the herein described tract;
6-37 THENCE, North 77°07'49" West, 578.00 feet to a 1/2-inch iron pipe
6-38 found being the northwest corner of said called 10.00 acre tract and
6-39 being an interior angle point of the herein described tract;
6-40 THENCE, South 11°31'45" West, 563.75 feet to the POINT OF BEGINNING,
6-41 CONTAINING 170.1 acres (7,411,386 square feet) of land in
6-42 Montgomery County, Texas filed in the office of Manhard Consulting,
6-43 Ltd. in The Woodlands, Texas.

6-44 SECTION 3. (a) The legal notice of the intention to
6-45 introduce this Act, setting forth the general substance of this
6-46 Act, has been published as provided by law, and the notice and a
6-47 copy of this Act have been furnished to all persons, agencies,
6-48 officials, or entities to which they are required to be furnished
6-49 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
6-50 Government Code.

6-51 (b) The governor, one of the required recipients, has
6-52 submitted the notice and Act to the Texas Commission on
6-53 Environmental Quality.

6-54 (c) The Texas Commission on Environmental Quality has filed
6-55 its recommendations relating to this Act with the governor, the
6-56 lieutenant governor, and the speaker of the house of
6-57 representatives within the required time.

6-58 (d) All requirements of the constitution and laws of this
6-59 state and the rules and procedures of the legislature with respect
6-60 to the notice, introduction, and passage of this Act are fulfilled
6-61 and accomplished.

6-62 SECTION 4. (a) Section 8077.0307, Special District Local
6-63 Laws Code, as added by Section 1 of this Act, takes effect only if
6-64 this Act receives a two-thirds vote of all the members elected to
6-65 each house.

6-66 (b) If this Act does not receive a two-thirds vote of all the
6-67 members elected to each house, Subchapter C, Chapter 8077, Special
6-68 District Local Laws Code, as added by Section 1 of this Act, is
6-69 amended by adding Section 8077.0307 to read as follows:

7-1 Sec. 8077.0307. NO EMINENT DOMAIN POWER. The district may
7-2 not exercise the power of eminent domain.

7-3 (c) This section is not intended to be an expression of a
7-4 legislative interpretation of the requirements of Section 17(c),
7-5 Article I, Texas Constitution.

7-6 SECTION 5. This Act takes effect immediately if it receives
7-7 a vote of two-thirds of all the members elected to each house, as
7-8 provided by Section 39, Article III, Texas Constitution. If this
7-9 Act does not receive the vote necessary for immediate effect, this
7-10 Act takes effect September 1, 2019.

7-11

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