

By: Hernandez

H.B. No. 2712

Substitute the following for H.B. No. 2712:

By: Huberty

C.S.H.B. No. 2712

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Channelview Improvement District;
providing authority to issue bonds; providing authority to impose
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 3943 to read as follows:

CHAPTER 3943. CHANNELVIEW IMPROVEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3943.0101. DEFINITIONS. In this chapter:

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

(2) "Commission" means the Texas Commission on
Environmental Quality.

(3) "County" means Harris County.

(4) "District" means the Channelview Improvement
District.

Sec. 3943.0102. CREATION AND NATURE OF DISTRICT. The
district is a special district created under Section 59, Article
XVI, Texas Constitution.

Sec. 3943.0103. 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 political
2 subdivisions to contract with the district, the legislature has
3 established a program to accomplish the public purposes set out in
4 Section 52-a, Article III, Texas Constitution.

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

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

16 Sec. 3943.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

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

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

25 (1) further the public purposes of developing and
26 diversifying the economy of the state;

27 (2) eliminate unemployment and underemployment; and

1 (3) develop or expand transportation and commerce.

2 (d) The district shall:

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

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

10 (3) provide and maintain common areas and facilities
11 in the district to ensure scenic beauty;

12 (4) provide improvements in the district to promote
13 the welfare of the public in the district; and

14 (5) promote the health, safety, welfare, and enjoyment
15 of the public by providing pedestrian ways and by landscaping and
16 developing certain areas in the district, which are necessary for
17 the restoration, preservation, and enhancement of scenic beauty.

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

21 Sec. 3943.0105. INITIAL DISTRICT TERRITORY. (a) The
22 district is composed of the territory described by Section 2 of the
23 Act enacting this chapter.

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

1 (1) organization, existence, or validity;

2 (2) right to contract;

3 (3) authority to issue any type of bond for a purpose
4 for which the district is created or to pay the principal of and
5 interest on the bond;

6 (4) right to impose or collect a fee or tax or collect
7 other revenue; or

8 (5) legality or operation.

9 Sec. 3943.0106. CONFIRMATION AND DIRECTORS' ELECTION
10 REQUIRED. The temporary directors shall hold an election to
11 confirm the creation of the district and to elect five permanent
12 directors as provided by Section 49.102, Water Code.

13 Sec. 3943.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
14 DISTRICTS LAW. Chapter 375, Local Government Code, does not apply
15 to the district unless specifically provided otherwise by this
16 chapter.

17 SUBCHAPTER B. BOARD OF DIRECTORS

18 Sec. 3943.0201. GOVERNING BODY; TERMS. (a) The district is
19 governed by a board of five elected directors.

20 (b) Except as provided by Section 3943.0204, directors
21 serve staggered terms of four years.

22 (c) Directors are elected in the manner provided by
23 Subchapter D, Chapter 49, Water Code.

24 (d) To be qualified to serve as a director, a person must be
25 a resident of the district.

26 Sec. 3943.0202. LAW GOVERNING ADMINISTRATION OF BOARD.
27 Sections 375.066-375.070, Local Government Code, apply to the board

1 as if it were established under Chapter 375 of that code.

2 Sec. 3943.0203. VOTING BY BOARD PRESIDENT RESTRICTED. The
3 board president may not vote except to break a tie vote.

4 Sec. 3943.0204. TEMPORARY DIRECTORS. (a) On or after the
5 effective date of the Act enacting this chapter, the owner or owners
6 of a majority of the assessed value of the real property in the
7 district may submit a petition to the commission requesting that
8 the commission appoint as temporary directors the five persons
9 named in the petition. The commission shall appoint as temporary
10 directors the five persons named in the petition.

11 (b) The temporary directors shall hold an election to elect
12 five permanent directors as provided by Section 3943.0106.

13 (c) Temporary directors serve until the earlier of:

14 (1) the date permanent directors are elected under
15 Section 3943.0106; or

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

18 (d) If permanent directors have not been elected under
19 Section 3943.0106 and the terms of the temporary directors have
20 expired, successor temporary directors shall be appointed or
21 reappointed as provided by Subsection (e) to serve terms that
22 expire on the earlier of:

23 (1) the date permanent directors are elected under
24 Section 3943.0106; or

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

27 (e) If Subsection (d) applies, the owner or owners of a

1 majority of the assessed value of the real property in the district
2 may submit a petition to the commission requesting that the
3 commission appoint as successor temporary directors the five
4 persons named in the petition. The commission shall appoint as
5 successor temporary directors the five persons named in the
6 petition.

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 3943.0301. GENERAL POWERS. The district has all of the
9 powers and duties necessary to accomplish the purposes for which
10 the district was created, including the powers and duties provided
11 by:

12 (1) Subchapter E, Chapter 375, Local Government Code;
13 and

14 (2) the general laws of this state on conservation and
15 reclamation districts created under Section 59, Article XVI, Texas
16 Constitution, including Chapter 49, Water Code.

17 Sec. 3943.0302. IMPROVEMENT PROJECTS. The district may
18 provide, or it may enter into contracts with a governmental or
19 private entity to provide, and pay all or part of the costs of the
20 improvement projects described by Subchapter D or activities in
21 support of or incidental to those projects.

22 Sec. 3943.0303. FIREFIGHTING AND MEDICAL EMERGENCY
23 SERVICES PROHIBITED. (a) The district may not engage in
24 firefighting activities or provide medical emergency services.

25 (b) Subchapter L, Chapter 49, Water Code, does not apply to
26 the district.

27 Sec. 3943.0304. RULES. The district may adopt rules:

1 (1) to administer and operate the district;

2 (2) for the use, enjoyment, availability, protection,
3 security, and maintenance of the district's facilities; and

4 (3) for the provision of public safety and security in
5 the district.

6 Sec. 3943.0305. LEASE, ACQUISITION, OR CONSTRUCTION OF
7 BUILDING OR FACILITY; ECONOMIC DEVELOPMENT PROGRAMS. The district
8 may, as if the district were a home-rule municipality with a
9 population of more than 100,000:

10 (1) issue bonds and lease, acquire, or construct a
11 building or facility as provided by Subchapter A, Chapter 1509,
12 Government Code; and

13 (2) establish and administer a program as provided by
14 Section 380.002, Local Government Code.

15 Sec. 3943.0306. CONTRACTS; GRANTS; DONATIONS. (a) The
16 district may contract with any person to accomplish the purposes of
17 this chapter on terms and for the period the board determines,
18 including contracting for the payment of costs incurred by the
19 person on behalf of the district, including all or part of the costs
20 of an improvement project, from tax proceeds or any other specified
21 source of money.

22 (b) The district may contract with a person to receive,
23 administer, and perform the district's duties under a gift, grant,
24 loan, conveyance, transfer, bequest, donation, or other financial
25 arrangement relating to the investigation, planning, analysis,
26 acquisition, construction, completion, implementation, or
27 operation of a proposed or existing improvement project.

1 (c) Any person, including any type of governmental entity,
2 may contract with the district to carry out the purposes of this
3 chapter.

4 Sec. 3943.0307. ANNEXATION OR EXCLUSION OF TERRITORY. The
5 district may add or exclude territory in the manner provided by
6 Chapter 375, Local Government Code.

7 Sec. 3943.0308. NO PEACE OFFICERS. The district may not
8 employ peace officers.

9 Sec. 3943.0309. NO EMINENT DOMAIN. The district may not
10 exercise the power of eminent domain.

11 SUBCHAPTER D. IMPROVEMENT PROJECTS

12 Sec. 3943.0401. IMPROVEMENT PROJECTS AND SERVICES. The
13 district may provide, design, construct, acquire, improve, lease,
14 relocate, repair, operate, maintain, or finance an improvement
15 project or service using money available to the district, or
16 contract with a governmental or private entity to provide, design,
17 construct, acquire, improve, lease, relocate, repair, operate,
18 maintain, or finance an improvement project or service authorized
19 under this chapter.

20 Sec. 3943.0402. MISCELLANEOUS DESIGN, CONSTRUCTION, AND
21 MAINTENANCE. An improvement project may include the planning,
22 design, construction, improvement, and maintenance of:

23 (1) landscaping;

24 (2) highway right-of-way or transit corridor
25 beautification and improvement;

26 (3) lighting, banners, and signs;

27 (4) a street or sidewalk;

1 (5) a hiking and cycling path or trail;

2 (6) a pedestrian walkway, skywalk, crosswalk, or
3 tunnel;

4 (7) a park, lake, garden, recreational facility, open
5 space, scenic area, or related exhibit or preserve;

6 (8) a fountain, plaza, or pedestrian mall; or

7 (9) public art or sculpture and related exhibits and
8 facilities and educational or cultural exhibits and facilities,
9 including exhibits, displays, attractions, or facilities for
10 special events, holidays, or seasonal or cultural celebrations.

11 Sec. 3943.0403. PARKING AND TRANSPORTATION. An improvement
12 project may include the planning, design, construction,
13 improvement, maintenance, and operation of an off-street parking
14 facility, a heliport, a bus terminal, mass transit, and a roadway or
15 water transportation system.

16 Sec. 3943.0404. DEMOLITION. An improvement project may
17 include the removal, razing, demolition, or clearing of land or
18 improvements in connection with an improvement project.

19 Sec. 3943.0405. ACQUISITION OF PROPERTY. An improvement
20 project may include the acquisition of property or an interest in
21 property in connection with an improvement project.

22 Sec. 3943.0406. SPECIAL OR SUPPLEMENTAL SERVICES. An
23 improvement project may include a special or supplemental service
24 for the improvement and promotion of the district or for the
25 protection of public health and safety in the district, including:

26 (1) tourism;

27 (2) elimination of traffic congestion;

1 (3) health, sanitation, public safety, and security;

2 (4) recreational, educational, or cultural
3 improvements, enhancements, and services; and

4 (5) advertising, promotion, and business recruitment.

5 Sec. 3943.0407. SIMILAR IMPROVEMENT PROJECTS. An
6 improvement project may include a public improvement, facility, or
7 service similar to a project described by this subchapter.

8 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

9 Sec. 3943.0501. NO AD VALOREM TAX. The district may not
10 impose an ad valorem tax.

11 Sec. 3943.0502. FEES; CHARGES. The district may:

12 (1) establish and collect user fees, concession fees,
13 admission fees, rental fees, or other similar fees or charges; and

14 (2) apply the proceeds from those fees or charges for
15 the enjoyment, sale, rental, or other use of the district's
16 facilities, services, or improvement projects.

17 Sec. 3943.0503. BORROWING MONEY. The district may borrow
18 money for a district purpose.

19 Sec. 3943.0504. PAYMENT OF EXPENSES. The district may
20 provide or secure the payment or repayment of any district expense,
21 including:

22 (1) a district cost relating to an improvement
23 project;

24 (2) a district contractual obligation or
25 indebtedness, because of a lease, installment purchase contract, or
26 other agreement; or

27 (3) a tax, user fee, concession fee, rental fee, or

1 other revenue or resources of the district.

2 Sec. 3943.0505. BONDS. (a) The board may issue bonds as
3 provided by Subchapter J, Chapter 375, Local Government Code.

4 (b) In addition to the sources described in Subchapter J,
5 Chapter 375, Local Government Code, bonds issued by the district
6 may be secured and made payable, in whole or in part, by a pledge of
7 any part of the net proceeds the district receives from a specified
8 portion of not more than one-half of the district's maximum sales
9 and use tax amount authorized at an election held under Section
10 3943.0602.

11 (c) Sections 375.207 and 375.208, Local Government Code, do
12 not apply to bonds issued under this section.

13 SUBCHAPTER F. SALES AND USE TAX

14 Sec. 3943.0601. SALES AND USE TAX. (a) For purposes of
15 this section:

16 (1) "Taxable items" includes all items subject to a
17 sales and use tax that is imposed by the county.

18 (2) "Use," with respect to a taxable service, means
19 the derivation in the district of a direct or indirect benefit from
20 the service.

21 (b) The district may impose a sales and use tax if
22 authorized by a majority vote at an election held for that purpose.

23 (c) If the district adopts a sales and use tax:

24 (1) the tax is imposed on the receipts from the sale at
25 retail of taxable items in the district; and

26 (2) a use tax is imposed on the use, storage, or other
27 consumption in the district of taxable items purchased or rented

1 from a retailer during the period in which the sales and use tax is
2 effective in the district.

3 (d) The rate of the use tax is the same as the rate of the
4 sales tax portion of the tax applied to the sales price of the
5 taxable items and is included in the sales tax.

6 (e) The district may not adopt a sales and use tax if as a
7 result of the adoption of the tax the combined rate of all sales and
8 use taxes imposed by the district and other political subdivisions
9 of this state having territory in the district would exceed two
10 percent at any location in the district.

11 Sec. 3943.0602. TAX ELECTION PROCEDURES. (a) The board may
12 order an election to adopt, change the rate of, or abolish a sales
13 and use tax. The election may be held at the same time and in
14 conjunction with a directors' election.

15 (b) The election must be held on the first uniform election
16 date that occurs after the time required by Section 3.005, Election
17 Code.

18 (c) Notice of the election shall be given and the election
19 shall be held in the manner prescribed for a bond election by
20 Subchapter D, Chapter 49, Water Code.

21 Sec. 3943.0603. BALLOT WORDING. (a) In an election to
22 adopt a sales and use tax, the ballot shall be prepared to permit
23 voting for or against the proposition: "The adoption of a local
24 sales and use tax by the Channelview Improvement District at the
25 rate of (proposed tax rate)."

26 (b) In an election to change the rate of the sales and use
27 tax, the ballot shall be prepared to permit voting for or against

1 the proposition: "The (increase or decrease, as applicable) in the
2 rate of the local sales and use tax imposed by the Channelview
3 Improvement District from (tax rate on election date) percent to
4 (proposed tax rate) percent."

5 (c) In an election to abolish the sales and use tax, the
6 ballot shall be prepared to permit voting for or against the
7 proposition: "The abolition of the local sales and use tax imposed
8 by the Channelview Improvement District."

9 Sec. 3943.0604. APPLICABILITY OF CERTAIN TAX CODE
10 PROVISIONS. (a) Chapter 323, Tax Code, governs the imposition,
11 computation, administration, enforcement, and collection of the
12 sales and use tax authorized by this subchapter except to the extent
13 Chapter 323, Tax Code, is inconsistent with this chapter.

14 (b) A reference in Chapter 323, Tax Code, to a county or the
15 commissioners court of a county is a reference to the district or
16 the board, respectively, for the purposes of this chapter.

17 (c) Nothing in this chapter alters, increases, decreases,
18 or affects a sales and use tax imposed by a political subdivision
19 other than the district.

20 Sec. 3943.0605. TAX RATES. The district may impose the
21 sales and use tax in increments of one-eighth of one percent, with a
22 minimum tax of one-half percent and a maximum tax of one percent.

23 Sec. 3943.0606. ABOLITION OF TAX. The board by order and
24 without an election may abolish the sales and use tax imposed by the
25 district.

26 Sec. 3943.0607. USE OF TAXES. The district may use the
27 proceeds from the sales and use tax only for the purposes for which

1 the district was created.

2 Sec. 3943.0608. EFFECTIVE DATE OF TAX OR TAX CHANGE. The
3 adoption of a tax rate or a change in the tax rate takes effect after
4 the expiration of the first complete calendar quarter occurring
5 after the date on which the comptroller receives a notice of the
6 results of the election.

7 SUBCHAPTER I. DISSOLUTION

8 Sec. 3943.0901. DISSOLUTION BY BOARD ORDER. The board by
9 order may dissolve the district at any time unless the district has
10 outstanding indebtedness or contractual obligations, as provided
11 by Section 375.264, Local Government Code.

12 Sec. 3943.0902. DISSOLUTION BY ELECTION. (a) The board by
13 order shall dissolve the district if a majority of the voters of the
14 district voting at an election called for that purpose vote to
15 dissolve the district.

16 (b) After the date the district is dissolved under this
17 section, the district may not impose taxes.

18 (c) If on the date the district is dissolved the district
19 has outstanding liabilities, the board shall, not later than the
20 30th day after the date of dissolution, adopt a resolution
21 certifying each outstanding liability. The county shall assume the
22 outstanding liabilities and shall collect the sales and use tax for
23 the district for the remainder of the calendar year. The county may
24 continue to collect the tax for an additional calendar year if the
25 commissioners court of the county finds that the tax revenue is
26 needed to retire the district liabilities that were assumed by the
27 county.

1 (d) The district may continue to operate for a period not to
2 exceed two months after performing its duties under Subsection (c).
3 The district is continued in effect for the purpose of performing
4 those duties.

5 (e) If the district is continued in effect under Subsection
6 (d), the district is dissolved entirely on the first day of the
7 month following the month in which the board certifies to the
8 secretary of state that the district has fully performed its duties
9 under Subsection (c).

10 (f) Section 375.264, Local Government Code, does not apply
11 to the dissolution of the district if the voters of the district
12 vote to dissolve the district under this section.

13 Sec. 3943.0903. DISSOLUTION BY PETITION. Except as limited
14 by Section 375.264, Local Government Code, the board shall dissolve
15 the district on written petition filed with the board by the owners
16 of:

17 (1) 66 percent or more of the assessed value of the
18 property subject to assessment by the district based on the most
19 recent certified county property tax rolls; or

20 (2) 66 percent or more of the surface area of the
21 district, excluding roads, streets, highways, utility
22 rights-of-way, other public areas, and other property exempt from
23 assessment by the district according to the most recent certified
24 county property tax rolls.

25 Sec. 3943.0904. ADMINISTRATION OF DISTRICT PROPERTY
26 FOLLOWING DISSOLUTION. (a) After the date the board orders the
27 dissolution of the district, the board shall transfer ownership of

1 all district property to the county, except as provided by
2 Subsection (b).

3 (b) If, on the date on which the board orders the
4 dissolution, more than 50 percent of the district territory is in a
5 municipality, the board shall transfer ownership of the district's
6 property to the municipality.

7 Sec. 3943.0905. APPLICABILITY OF OTHER LAW. Sections
8 375.261 and 375.262, Local Government Code, do not apply to the
9 district.

10 SECTION 2. The Channelview Improvement District initially
11 includes all the territory contained in the following area:

12 BEGINNING at the centerline intersection of the East Sam
13 Houston Parkway ("Beltway 8") with the centerline of Wallisville
14 Road, approximately 2 1/2 miles north of Interstate 10 ("East
15 Freeway"), along said "Beltway 8";

16 THENCE, in a Northeasterly direction, along the centerline of
17 said Wallisville Road, to the intersection of said Wallisville Road
18 with the west bank of the San Jacinto River;

19 THENCE, in a Southerly direction, along the westerly bank of
20 the said San Jacinto River; inclusive of the body of water known as
21 Bear Lake, to the intersection of the U.P.S. Railroad and the
22 southerly bank of a body of water known as Whites Lake;

23 THENCE, in an Easterly direction, along the southerly bank of
24 said Whites Lake, to the intersection of said Whites Lake, also
25 being the northerly Right-of-Way line of said Interstate 10 with
26 the westerly bank of the said San Jacinto River;

27 THENCE, in a Southwesterly direction, along the westerly bank

1 of the said San Jacinto River, crossing the northerly outlet of Old
2 River to the intersection of the northerly City of Houston, City
3 Limit Line;

4 THENCE, in a Southwesterly direction, with a curve to the
5 left, along said northerly City Limit Line crossing the southerly
6 outlet of Old River to the southerly bank of said Old River;

7 THENCE, in an Easterly direction with the southerly bank of
8 said Old River and with the said northerly City Limit Line to the
9 west bank of the Houston Ship Channel;

10 THENCE, in a Southwesterly direction with the northwesterly
11 bank of said Houston Ship Channel and with the northwesterly City
12 Limit Line to an angle point in said City Limit Line northeasterly
13 of the outlet of Carpenters Bayou/Barge Channel;

14 THENCE, in a Northwesterly direction leaving said Houston
15 Ship Channel with the northeasterly City Limit Line to an angle
16 point of said City Limit Line;

17 THENCE, in a Southwesterly direction with the northwesterly
18 City Limit Line, being a line parallel to and located approximately
19 2,500 feet from the centerline of the said Houston Ship Channel,
20 crossing said Carpenters Bayou/Barge Channel to an angle point in
21 said City Limit Line;

22 THENCE, in a Southeasterly direction with the southwesterly
23 City Limit Line to the westerly bank of the said Houston Ship
24 Channel;

25 THENCE, in a Southwesterly direction with the northwesterly
26 bank of said Houston Ship Channel with the northwesterly City Limit
27 Line to an angle point of said City Limit Line located near the

1 outlet of the Jacinto Port Slip;

2 THENCE, in a Northwesterly direction leaving said Houston
3 Ship Channel with the northeasterly City Limit Line to an angle
4 point of said City Limit Line;

5 THENCE, in a Southwesterly direction with northwesterly City
6 Limit Line, being a line parallel to and located approximately
7 2,500 feet from the centerline of said Houston Ship Channel,
8 crossing said Jacinto Port Slip to an angle point in said City Limit
9 Line;

10 THENCE, in a Southeasterly direction with southwesterly City
11 Limit Line to the westerly bank of the said Houston Ship Channel;

12 THENCE, in a Southeasterly direction with the northerly City
13 Limit Line and generally with the Northerly bank of said Houston
14 Ship Channel, crossing said "Beltway 8" to the intersection of the
15 northerly bank of the said Houston Ship Channel with the extension
16 of the centerline of Penn City Road;

17 THENCE, in a Northerly direction, along the said centerline
18 extension of said Penn City Road, to the common intersection of Penn
19 City Road, "Beltway 8" and Interstate 10 for corner;

20 THENCE, in a Northerly direction, along the centerline of
21 said "Beltway 8", approximately 2 1/2 miles to the POINT OF
22 BEGINNING. Save and except for any portion hereof that is included
23 in the municipal or corporate boundaries of the City of Houston.

24 SECTION 3. (a) The legal notice of the intention to
25 introduce this Act, setting forth the general substance of this
26 Act, has been published as provided by law, and the notice and a
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3 Government Code.

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

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

11 (d) All requirements of the constitution and laws of this
12 state and the rules and procedures of the legislature with respect
13 to the notice, introduction, and passage of this Act are fulfilled
14 and accomplished.

15 SECTION 4. If the creation of the district is not confirmed
16 at a confirmation election held under Section 1 of this Act before
17 September 1, 2023, this Act and Chapter 3943, Special District
18 Local Laws Code, as added by this Act, expire on that date.

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