

By: Oliverson

H.B. No. 4651

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Harris County Municipal Utility
3 District No. 571; granting a limited power of eminent domain;
4 providing authority to issue bonds; providing authority to impose
5 assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws
8 Code, is amended by adding Chapter 8098 to read as follows:

9 CHAPTER 8098. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 571

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 8098.0101. DEFINITIONS. In this chapter:

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

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

15 (3) "Director" means a board member.

16 (4) "District" means the Harris County Municipal
17 Utility District No. 571.

18 Sec. 8098.0102. NATURE OF DISTRICT. The district is a
19 municipal utility district created under Section 59, Article XVI,
20 Texas Constitution.

21 Sec. 8098.0103. CONFIRMATION AND DIRECTOR ELECTION
22 REQUIRED. The temporary directors shall hold an election to
23 confirm the creation of the district and to elect five permanent
24 directors as provided by Section 49.102, Water Code.

1 Sec. 8098.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 8098.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 8098.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

8 (a) The district is created to serve a public purpose and benefit.

9 (b) The district is created to accomplish the purposes of:

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

12 (2) Section 52, Article III, Texas Constitution, that
13 relate to the construction, acquisition, improvement, operation,
14 or maintenance of macadamized, graveled, or paved roads, or
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 8098.0106. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

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

23 (1) organization, existence, or validity;

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

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 8098.0201. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 8098.0202, directors
6 serve staggered four-year terms.

7 Sec. 8098.0202. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) Binh Chau;

10 (2) Todd Brown;

11 (3) Stephanie E. Tabor;

12 (4) Adlena Leemhuis; and

13 (5) Jennifer Day.

14 (b) Temporary directors serve until the earlier of:

15 (1) the date permanent directors are elected under
16 Section 8098.0103; or

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

19 (c) If permanent directors have not been elected under
20 Section 8098.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 8098.0103; or

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

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

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 8098.0301. GENERAL POWERS AND DUTIES. The district
10 has the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 8098.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 8098.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
18 52, Article III, Texas Constitution, the district may design,
19 acquire, construct, finance, issue bonds for, improve, operate,
20 maintain, and convey to this state, a county, or a municipality for
21 operation and maintenance macadamized, graveled, or paved roads, or
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 8098.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
24 road project must meet all applicable construction standards,
25 zoning and subdivision requirements, and regulations of each
26 municipality in whose corporate limits or extraterritorial
27 jurisdiction the road project is located.

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

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

9 Sec. 8098.0305. COMPLIANCE WITH MUNICIPAL CONSENT
10 ORDINANCE OR RESOLUTION. The district shall comply with all
11 applicable requirements of any ordinance or resolution that is
12 adopted under Section 54.016 or 54.0165, Water Code, and that
13 consents to the creation of the district or to the inclusion of land
14 in the district.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 8098.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
17 The district may issue, without an election, bonds and other
18 obligations secured by:

- 19 (1) revenue other than ad valorem taxes; or
20 (2) contract payments described by Section 8098.0403.

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

25 (c) The district may not issue bonds payable from ad valorem
26 taxes to finance a road project unless the issuance is approved by a
27 vote of a two-thirds majority of the district voters voting at an

1 election held for that purpose.

2 Sec. 8098.0402. OPERATION AND MAINTENANCE TAX. (a) If
3 authorized at an election held under Section 8098.0401, the
4 district may impose an operation and maintenance tax on taxable
5 property in the district in accordance with Section 49.107, Water
6 Code.

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

9 Sec. 8098.0403. CONTRACT TAXES. (a) In accordance with
10 Section 49.108, Water Code, the district may impose a tax other than
11 an operation and maintenance tax and use the revenue derived from
12 the tax to make payments under a contract after the provisions of
13 the contract have been approved by a majority of the district voters
14 voting at an election held for that purpose.

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

18 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

19 Sec. 8098.0501. AUTHORITY TO ISSUE BONDS AND OTHER
20 OBLIGATIONS. The district may issue bonds or other obligations
21 payable wholly or partly from ad valorem taxes, impact fees,
22 revenue, contract payments, grants, or other district money, or any
23 combination of those sources, to pay for any authorized district
24 purpose.

25 Sec. 8098.0502. TAXES FOR BONDS. At the time the district
26 issues bonds payable wholly or partly from ad valorem taxes, the
27 board shall provide for the annual imposition of a continuing

1 direct ad valorem tax, without limit as to rate or amount, while all
2 or part of the bonds are outstanding as required and in the manner
3 provided by Sections 54.601 and 54.602, Water Code.

4 Sec. 8098.0503. BONDS FOR ROAD PROJECTS. At the time of
5 issuance, the total principal amount of bonds or other obligations
6 issued or incurred to finance road projects and payable from ad
7 valorem taxes may not exceed one-fourth of the assessed value of the
8 real property in the district.

9 SECTION 2. The Harris County Municipal Utility District
10 No. 571 initially includes all the territory contained in the
11 following area:

12 That tract of land situated in the Chauncey Goodrich Survey,
13 A-311, in Harris County, Texas, and out of the 131.3702 acre tract
14 described as Tract 2 in the deed from Charles T. Haynes Jr. and
15 Glenda K. Haynes, Trustees of the Haynes Family Revocable Trust to
16 Cunningham Interests II, Ltd, recorded under File Number
17 20120265722, of the Official Public Records of Harris County,
18 Texas, and out of the 31.4393 acre tract described in the deed from
19 Lisa M. Krakosky and spouse, Dean M. Krakosky, John P. McShan, Mark
20 S. McShan, Lisa M. Krakosky and Andrew J. McShan, to APITX 3, LLC,
21 recorded under File No. RP-2017-304570, of the Official Public
22 Records of Harris County, Texas, and more particularly described by
23 metes and bounds as follows:

24 Basis of bearing is based on the record bearing of aforesaid
25 Tract 2 (which has a basis of bearing of North 89° 39' 06" East along
26 the common line of the remainder of the 14 acre tract as described
27 in a deed filed for record under Harris County Clerk's File

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1 No. R-965836, and the 33.2209 acre tract as described in a deed
2 filed for record under Harris County Clerk's File No. Z-331462);

3 BEGINNING at a point (called in RP-2017-304570: a 1 inch iron
4 pipe next to a rail road beam found on the east right-of-way line of
5 Telge Road (60 feet wide) as recorded in Vol. 78, Pg. 262, of the
6 Harris County Deed Records (H.C.D.R.), marking the northwest corner
7 of a called 27.5033 acre tract of land conveyed to Graceview Baptist
8 Church, as recorded under H.C.C.F. No. RP-2016-456441, the
9 southwest corner of said called 31.478 acre tract, and the
10 southwest corner of the herein described tract) for the southwest
11 corner of the herein described tract;

12 THENCE North 00° 13' 02" West - 59.18' (called in
13 RP-2017-304570: North 02 Deg. 18 Min. 03 Sec. West with the east
14 right-of-way line of said Telge Road, a distance of 59.18 feet to a
15 capped 5/8-inch iron rod stamped "Windrose Land Services" set
16 marking the southwest corner of a called 3.792 acre tract of land
17 conveyed to Jerry B. Boyd, et ux, as recorded under H.C.C.F.
18 No. 20080575074, and the westerly northwest corner of the herein
19 described tract, from which a found 5/8-inch iron rod bears South 78
20 Deg. 56 Min. 56 Sec. East, a distance of 0.64 feet), to a westerly
21 northwest corner of the herein described tract;

22 THENCE North 89° 59' 01" East - 866.69' (called in
23 RP-2017-304570: North 87 Deg. 54 Min. 00 Sec. East, with the south
24 line of said called 3.792 acre tract and the south line of a called
25 5.084 acre tract of land conveyed to E. Wheeler Coe, Jr., and
26 recorded under H.C.C.F. No. R033492, a distance of 866.69 feet to a
27 1/2-inch iron rod found marking the southeast corner of said called

1 5.084 acre tract and an interior corner of the herein described
2 tract), to an angle corner of the herein described tract;

3 THENCE North 00° 21' 08" East - 689.64' (called in
4 RP-2017-304570: North 01 Deg. 43 Min. 53 Sec. West, with the east
5 line of said called 5.084 acre tract, passing at a distance of
6 596.19 feet a 5/8-inch iron rod round marking the northeast corner
7 of said called 5.084 acre tract, and the southeast corner of a
8 called 3.970 acre tract of land conveyed to Michael C. Vollbrecht,
9 as recorded under H.C.C.F. No. RP-2016-336364, in all a distance of
10 689.64 feet to a capped 5/8-inch iron rod stamped "Windrose Land
11 Services" set marking the southwest corner of a called 17.409 acre
12 tract of land conveyed to Allen Pennington, as recorded under
13 H.C.C.F. No. 20140517739, and the northerly northwest corner of the
14 herein described tract, from which a found 1-inch iron pipe bears
15 North 48 Deg. 57 Min. 18 Sec. East, a distance of 3.29 feet), to a
16 westerly northwest corner of the herein described tract;

17 THENCE North 89° 22' 04" East - 809.13' (called in
18 RP-2017-304570: North 87 Dec. 17 Min. 03 Sec. East, with the south
19 line of said called 17.409 acre tract, a distance of 809.13 feet to
20 a 1-inch iron rod found marking the southeast corner of said called
21 17.409 acre tract, the southwest corner of a called 3.1720 acre
22 tract of land conveyed to Mario Jimenez, as recorded under H.C.C.F.
23 No. 20090343492, and an angle point in the north line of the herein
24 described tract), to an angle corner of the herein described tract;

25 THENCE South 89° 59' 34" East - 929.13' (called in
26 RP-2017-304570: North 87 Deg. 55 Min. 25 Sec. East, with the south
27 line of said called 3.1720 acre tract, the south line of a called

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1 0.814 acre tract of land conveyed to Timothy James Kraemer, as
2 recorded under H.C.C.F. No. 20070586673, and the south line of a
3 called 2.1463 acre tract of land conveyed to Fred Joseph Wonk and
4 Debra Kathryn Pate, as recorded under H.C.C.F. No. 20130584290, a
5 distance of 929.13 feet to a 1-inch iron pipe found on the west line
6 of a called 131.3702 acre tract of land conveyed to Cunningham
7 Interests II, Ltd., as recorded under H.C.C.F. No. 20120265722,
8 marking the southeast corner of said 2.1463 acre tract, and the
9 northeast corner of the herein described tract), to an interior
10 angle corner of the herein described tract;

11 THENCE North 00° 04' 02" West - 1.07' (called in 20120265722:
12 along the common line of said North tract (that certain call 42.2857
13 acre tract of land described in a deed filed for record under Harris
14 County Clerk's File No. Z-331458) and said 31.478 acre tract of
15 land (as described in a deed filed for record under Harris County
16 Clerk's File No. X-573459) to a 1" iron pipe (found) for angle point
17 marking the Northeast corner of said 31.478 acre tract of land and
18 the Southeast corner of Lot 15 in Block 3 of said Treichel Wood
19 Estates (unrecorded) as described in a deed filed for record under
20 Harris County Clerk's File No. 2010349120), to an angle corner of
21 the herein described tract:

22 THENCE North 00° 21' 36" West - 1247.73' (called in
23 20120265722: along the common line of said Treichel Wood Estates
24 and said North tract, passing at call 607.98 feet the Northwest
25 corner of said North tract and the Southwest corner of the remainder
26 of said 39.4277 acre tract of land (described in a deed filed for
27 record under Harris County Clerk's File No. P-215054), a total

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1 distance of 1,247.73 feet to a 3/4" iron pipe (found) in the South
2 line of Lot 42 of Treichel Wood Estates, (unrecorded), marking the
3 Northeast corner of Lot 44 in Block 4 of said Treichel Wood Estates
4 as described in a deed filed for record under Harris County Clerk's
5 File No. J-673788, the Northwest corner of the remainder of said
6 39.4277 acre tract of land) to the most northerly northwest corner
7 of the herein described tract;

8 THENCE South 89° 59' 48" East - 433.11 (called in 20120265722:
9 along the common line of the remainder of said 39.4277 acre tract of
10 land and said Treichel Wood Estates to a 1-1/4" iron pipe (found)
11 for an angle point marking the Southeast corner of Lot 37 in Block 4
12 of said Treichel Wood Estates as described in a deed filed for
13 record under Harris County Clerk's File No. L-094431 and the
14 Southwest corner of that certain call 1.0629 acre tract of land
15 known as Tract 10 A as described in a deed filed for record under
16 Harris County Clerk's File No. S-674840) to an angle corner of the
17 herein described tract;

18 THENCE South 89° 58' 37" East - 839.57' (called in
19 20120265722: along the common line of the remainder of said 39.4277
20 acre tract of land and said Tract 10A to a 3/4" iron pipe (found) for
21 angle point marking the Southeast corner of that certain call
22 3.3726 acre remainder tract of land known as Tract 10 G, 10 G1 and 10
23 G2 out of that certain call 4.3276 acre tract of land described in a
24 deed filed for record under Harris County Clerk's File No. G-445448
25 and the Southwest corner of the remainder of that certain call 17
26 acre tract of land as described in a deed filed for record in Volume
27 285, Page 363 of said Harris County Deed Records) to an angle corner

1 of the herein described tract;

2 THENCE North 89° 59' 01" East - 34.92' (called in 20120265722:
3 along the common line of the remainder of said 39.4277 acre tract of
4 land and the remainder of said 17 acre tract of land to a point for
5 corner in a Harris County Flood Control Ditch marking the Southeast
6 corner of the remainder of said 17 acre tract of land, the Southwest
7 corner of said 3 acre tract of land (described in a deed filed for
8 record under Harris County Clerk's File No. R-965831)), to an angle
9 corner of the herein described tract;

10 THENCE North 89° 59' 00" East - 591.39' (calculated) to
11 (called in 20120265722: a 2" iron pipe (found) in the North line of
12 the remainder of said 39.4277 acre tract of land marking the
13 Southeast corner of the remainder of said 14 acre tract of land
14 (described in a deed filed for record under Harris County Clerk's
15 File No. R-965836), the Southwest corner of said 10.08 acre tract
16 of land (described in a deed filed for record under Harris County
17 Clerk's File No. B-477153) an angle corner of the herein described
18 tract;

19 THENCE South 89° 56' 36" East - 784.05' (called in
20 20120265722: along the common line of said 10.08 acre and the
21 remainder of said 39.4277 acre tract of land to a 1" iron pipe
22 (found bent) in the East line of said Chauncey Goodrich Survey, the
23 West line of the John Hooper Survey, A-325 in said Harris County,
24 Texas and the West line of that certain call 1.9160 acre tract of
25 land known as Tract 2 G as described in a deed filed for record under
26 Harris County Clerk's File No. H-893093 marking the Southeast
27 corner of said 10.08 acre tract of land, the Northeast corner of the

1 remainder of said 39.4277 acre tract) to the northeast corner of the
2 herein described tract;

3 THENCE South 00° 55' 02" East - 639.13' (called in
4 20120265722: along the common line of the remainder of said 39.4277
5 acre tract of land, said Chauncey Goodrich Survey, said Tract 2 G
6 and said John Hooper Survey to a 5/8" iron rod (found) for angle
7 point in the West line of that certain call 8.612 acre tract of land
8 as described in a deed filed for record under Harris County Clerk's
9 File No. N-090793 marking the Southeast corner of the remainder of
10 said 39.4277 acre tract of land the Northeast corner of said North
11 tract), to an angle corner of the herein described tract;

12 THENCE South 00° 53' 39" East - 683.76' (called in
13 20120265722: along the common line of said North tract, said
14 Chauncey Goodrich Survey, said 8.612 acre tract of land and said
15 John Hooper Survey to a 5/8" iron rod (found) for angle point in the
16 West line of that certain call 10.4400 acre tract of land as
17 described in a deed filed for record under Harris County Clerk's
18 File No. D-858395 marking the Southeast corner of said North tract
19 and the Northeast corner of said South tract (that certain call
20 42.2857 acre tract of land as described in a deed filed for record
21 under Harris County Clerk's File No. 20090332908)), to an angle
22 corner of the herein described tract;

23 THENCE South 01° 31' 34" East - 49.35' (called in 20120265722:
24 along the common line of said South tract, said Chauncey Goodrich
25 Survey, said 10.4400 acre tract of land and said John Hooper Survey
26 to a 1/2" iron rod (found) for angle point marking the Southwest
27 corner of said 10.4400 acre tract of land and the Northwest corner

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1 of that certain call 1.0000 acre tract of land known as Lot 15 A in
2 Calvert Subdivision, (unrecorded), as described in a deed filed for
3 record under Harris County Clerk's File No. D-280475), to an angle
4 corner of the herein described tract;

5 THENCE South 00° 53' 06" East - 290.16' (called in
6 20120265722: along the common line of said South tract, said
7 Chauncey Goodrich Survey, said Lot 15 A and said John Hooper Survey
8 to a 1/2" iron rod (found) for angle point marking the Southwest
9 corner of said Lot 15 A and the Northwest corner of Olin Road,
10 (60.00 feet in width)), to an angle corner of the herein described
11 tract;

12 THENCE South 00° 50' 01" East - 342.17' (called in
13 20120265722: along the common line of said South tract, said
14 Chauncey Goodrich Survey, said Olin Road and said John Hooper
15 Survey, passing at 60.00 feet the Southwest corner of said Olin Road
16 and the Northwest corner of that certain call 0.04458 acre tract of
17 land as described in a deed filed for record under Harris County
18 Clerk's File No. V-223565, a total distance of 342.17 feet, to a
19 5/8" iron rod (found) in the North line of the John Hooper Survey,
20 A-375 in said Harris County, Texas and the North line of that
21 certain call 233 acre tract of land as described in a deed filed for
22 record in Volume 16, Page 166 of said Harris County Deed Records
23 marking the Southwest corner of said 0.04458 acre tract of land, the
24 Southeast corner of said Chauncey Goodrich Survey, A-311, the
25 Southwest corner of said John Hooper Survey, A-325, the Southeast
26 corner of said South tract), to the southeast corner of the herein
27 described tract;

1 THENCE South 89° 59' 05" West - 1255.61' (called in
2 20120265722: along the common line of said South tract, said
3 Chauncey Goodrich Survey, said 233 acre tract of land and said John
4 Hooper Survey to a 1-1/4" iron pipe (found) for angle point marking
5 the Northwest corner of said 233 acre tract of land and the
6 Northeast corner of that certain call 25.25 acre tract of land known
7 as Tract 2 as described in a deed filed for record under Harris
8 County Clerk's File No. U-132699), to an angle corner of the herein
9 described tract;

10 THENCE South 89° 55' 49" West - 1399.66' (called in
11 20120265722: along the common line of said South tract, said
12 Chauncey Goodrich Survey, said Tract 2 and said John Hooper Survey,
13 passing at call 699.77 feet the Northwest corner of said Tract 2 and
14 the Northeast corner of that certain call 25.20 acre tract of land
15 known as Tract 1 as described in a deed filed for record under
16 Harris County Clerk's File No. U-132699, a total distance of
17 1,399.66 feet, to a T-Rail (found) for angle point marking the
18 Northwest corner of said Tract 1 and the Northeast corner of that
19 certain call 27.507 acre tract of land described in a deed filed for
20 record under Harris County Clerk's File No. R-075089), to an angle
21 corner of the herein described tract;

22 THENCE South 89° 27' 44" West - 48.77' (called in 20120265722:
23 along the common line of said South tract, said Clauncey Goodrich
24 Survey, said 27.507 acre tract and said John Hooper Survey to a 1"
25 iron pipe (found) in the North line of said 27.507 acre tract of
26 land marking the Southwest corner of said South tract, the
27 Southeast corner of that certain call 31.478 acre tract of land as

1 described in a deed filed for record under Harris County Clerk's
2 File No. X-573459) and (called in RP-2017-304570: a capped 5/8
3 inch iron rod stamped "Windrose Land Services" set on the north line
4 of said called 27.5033 acre tract, marking the southwest corner of
5 said called 131.3702 acre tract, from which a found 1-inch iron pipe
6 bears South 02 Deg. 17 Min. 53 Sec. East, a distance of 0.49 feet),
7 and an angle corner of the herein described tract;

8 THENCE North 89° 58' 31" West - 2611.75' (called in
9 RP-2017-304570: South 87 Deg. 56 Min. 28 Sec. West, with the north
10 line of said called 27.5033 acre tract, a distance of 2611.75 feet)
11 to the POINT OF BEGINNING and containing 155.4 acres.

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

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

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

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act are fulfilled
2 and accomplished.

3 SECTION 4. (a) If this Act does not receive a two-thirds
4 vote of all the members elected to each house, Subchapter C, Chapter
5 8098, Special District Local Laws Code, as added by Section 1 of
6 this Act, is amended by adding Section 8098.0306 to read as follows:

7 Sec. 8098.0306. NO EMINENT DOMAIN POWER. The district may
8 not exercise the power of eminent domain.

9 (b) This section is not intended to be an expression of a
10 legislative interpretation of the requirements of Section 17(c),
11 Article I, Texas Constitution.

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