

By: Thompson of Brazoria

H.B. No. 4670

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of the Brazoria County Municipal Utility  
3 District No. 76; 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 8099 to read as follows:

9 CHAPTER 8099. BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 76

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 8099.0101. 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 Brazoria County Municipal  
17 Utility District No. 76.

18 Sec. 8099.0102. NATURE OF DISTRICT. The district is a  
19 municipal utility district created under Section 59, Article XVI,  
20 Texas Constitution.

21 Sec. 8099.0103. 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. 8099.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
2 temporary directors may not hold an election under Section  
3 8099.0103 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. 8099.0105. 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. 8099.0106. 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. 8099.0201. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 8099.0202, directors  
6 serve staggered four-year terms.

7           Sec. 8099.0202. TEMPORARY DIRECTORS. (a) The temporary  
8 board consists of:

9                   (1) Timothy White;

10                  (2) Lyle Klingbeil;

11                  (3) Jennifer Vaughan;

12                  (4) Maria George; and

13                  (5) Hunter Waneck.

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

15                   (1) the date permanent directors are elected under  
16 Section 8099.0103; 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 8099.0103 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 8099.0103; 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. 8099.0301. 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. 8099.0302. 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. 8099.0303. 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. 8099.0304. 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. 8099.0305. 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. 8099.0401. 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 8099.0403.

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. 8099.0402. OPERATION AND MAINTENANCE TAX. (a) If  
3 authorized at an election held under Section 8099.0401, 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. 8099.0403. 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. 8099.0501. 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. 8099.0502. 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. 8099.0503. 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 Brazoria County Municipal Utility District  
10 No. 76 initially includes all the territory contained in the  
11 following area:

12 TRACT 1

13 FIELD NOTES OF AN 80.41 ACRE TRACT OUT OF AN 83.72 ACRE TRACT  
14 OUT OF A 121.90 ACRE TRACT IN THE ANDREW ROBERTS LABOR, ABSTRACT  
15 363, BRAZORIA COUNTY, TEXAS; SAID 121.90 ACRE TRACT BEING THAT  
16 TRACT DESCRIBED IN A DEED RECORDED IN VOLUME 735, PAGE 629 OF THE  
17 DEED RECORDS OF BRAZORIA COUNTY, TEXAS; AND SAID 80.41 ACRE TRACT  
18 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

19 COMMENCING at a 1/2" iron rod found in the East line of the  
20 William Roberts League, Abstract 124, Brazoria County, Texas; said  
21 rod marking the Northwest corner of the Andrew Roberts Labor,  
22 Abstract 363, Brazoria County, Texas;

23 THENCE; North 88° 13' East 94.63 feet, along the North line of  
24 the Andrew Roberts Labor, Abstract 363, to a 1/2" iron pipe found  
25 for the place of beginning of the herein described tract; said pipe  
26 also marking the Northeast corner of a 91.41 acre tract in the  
27 Andrew Roberts Labor, Abstract 363;

1           THENCE; North 89° 19' 51" East 2328.77 feet, along the North  
2 line of the Andrew Roberts Labor, Abstract 363, to a 1/2" iron rod  
3 with cap stamped "RSTROUD RPLS 2112" found for corner in the West  
4 right-of-way line of the State Highway 288 Freeway;

5           THENCE; South 0° 23' 56" East 627.04 feet, along the West  
6 right-of-way line of the State Highway 288 Freeway, to a concrete  
7 right-of-way monument found for angle point;

8           THENCE; South 0° 02' 56" West 1096.29 feet, along the West  
9 right-of-way line of the State Highway 288 Freeway, to a 1/2" iron  
10 rod found for corner at the Northeast corner of the Angleton  
11 Drainage District 3.32 acre tract described in County Clerk's  
12 Document No. 2014-024678 of the Official Records of Brazoria  
13 County, Texas;

14           THENCE; North 80° 57' West 87.55 feet, along the North line of  
15 said 3.32 acre tract, to a 1/2" iron rod with cap stamped "RPLS 2112  
16 RPLS 6017" found for corner at the Northwest corner of said 3.32  
17 acre tract;

18           THENCE; South 5° 08' 13" West 1408.09 feet (called 1400.09  
19 feet), along the West line of said 3.32 acre tract, to a concrete  
20 right-of-way monument found for corner; said monument marking the  
21 Southwest corner of said 3.32 acre tract;

22           THENCE; South 1° 23' 59" West 61.07 feet, along the West  
23 right-of-way line of State Highway 288 Freeway, to a concrete  
24 monument found for corner in the South line of the Andrew Roberts  
25 Labor, Abstract 363;

26           THENCE; South 89° 18' 30" West 769.14 feet, along the South  
27 line of the Andrew Roberts Labor, Abstract 363, to a point for



1 corner at the Southeast corner of said 91.41 acre tract;

2       THENCE; North 0° 11' 54" East, at 55.01 feet pass a 1/2" iron  
3 rod found in the North right-of-way fence of a closed portion of  
4 Belk Road, and continue to a total distance of 2711.40 feet to a  
5 1/2" iron rod with cap stamped "R STROUD RPLS 2112" found for corner  
6 at the Easterly Northeast corner of said 91.41 acre tract;

7       THENCE; South 89° 19' 51" West 1359.50 feet, along the common  
8 line with said 91.41 acre tract, to a 1/2" iron pipe found for  
9 corner;

10       THENCE; North 0° 08' 09" East 459.60 feet, along the common  
11 line with said 91.41 acre tract, to the place of beginning.

12       Said tract therein containing 80.41 acres of land.

13       The reference bearing for this survey is the North line of the  
14 S. J. Jamison 100 acre tract as described in a deed recorded in  
15 Volume 578, Page 443 of the Deed Records of Brazoria County, Texas.  
16 The bearing of the North line for reference is South 89° 47' West.

17       TRACT 2

18       FIELD NOTES OF A 5.62 ACRE TRACT, CALLED TRACT 161A, AND BEING  
19 THAT PORTION LYING WEST OF STATE HIGHWAY 288 FREEWAY OF A NINE ACRE  
20 TRACT CONVEYED TO BRAZORIA COUNTY FROM J. D. CANNAN, TRUSTEE, BY  
21 DEED DATED AUGUST 9, 1897 AND RECORDED IN VOLUME 42, PAGE 235 OF THE  
22 DEED RECORDS OF BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY  
23 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

24       BEGINNING at a 1/2" iron rod found at the intersection of the  
25 South line of said nine acre tract with the West right-of-way line  
26 of the State Highway 288 Freeway;

27       THENCE; North 0° 04' 38" East 971.25 feet, along the West

1 right-of-way line of the State Highway 288 Freeway, to a 1/2" iron  
2 rod found for corner of a called 0.269 acre tract previously cut out  
3 of said nine acre tract;

4 THENCE; South 88° 07' 44" West 258.76 feet, along the South  
5 line of said called 0.269 acre tract, to a 1/2" iron rod found for  
6 corner in the West line of said nine acre tract;

7 THENCE; South 0° 33' 01" East 962.86 feet, along the West line  
8 of said nine acre tract, to a 1/2" iron rod found marking the  
9 Southwest corner of said nine acre tract;

10 THENCE; South 89° 59' 36" East 248.07 feet, along the South  
11 line of said nine acre tract, to the place of beginning.

12 Said tract therein containing 5.62 acres of land.

13 The reference bearing for this survey is the North line of the  
14 S. J. Jamison 100 acre tract in the William Roberts League, Abstract  
15 124, as described in a deed recorded in Volume 578, Page 443 of the  
16 Deed Records of Brazoria County, Texas. The bearing of the line is  
17 South 89° 47' West.

18 TRACT 3

19 FIELD NOTES OF AN 85.95 ACRE TRACT OUT OF A 91.41 ACRE TRACT  
20 IN THE ANDREW ROBERTS LABOR, ABSTRACT 363, BRAZORIA COUNTY, TEXAS;  
21 SAID 91.41 ACRES BEING THAT SAME TRACT (CALLED 91.9 ACRES)  
22 DESCRIBED AS "SECOND TRACT" IN THAT CERTAIN DEED RECORDED IN VOLUME  
23 406, PAGE 99 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS, AND SAID  
24 85.95 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND  
25 BOUNDS AS FOLLOWS:

26 COMMENCING at a 1/2" iron rod found at the Southwest corner of  
27 the Andrew Roberts Labor, Abstract 363; said rod being in the South

1 right-of-way line of Belk Road (County Road 28);

2       THENCE; North 89° 19' 01" East 75.01 feet, along the South  
3 line of Belk Road, to a 1/2" iron rod set in the East line of a 75  
4 foot Drainage Easement, for the place of beginning of the herein  
5 described tract; said Drainage Easement being described in a deed  
6 recorded in File 2013-033166 of the Official Records of Brazoria  
7 County, Texas;

8       THENCE; North 0° 08' 09" East, along the East line of said 75  
9 foot Drainage Easement, at 55.57 feet pass a 1/2" iron rod found in  
10 the North right-of-way line of Belk Road, and continue to a total  
11 distance of 3170.85 feet to a 1/2" iron rod found for corner in the  
12 Most northerly North line of said 91.41 acre tract in the North line  
13 of the Andrew Roberts Labor, Abstract 363;

14       THENCE; North 88° 13' East 19.60 feet, along the North line of  
15 the Andrew Roberts Labor, to a 1/2" iron pipe found for corner at  
16 the most northerly Northeast corner of said 91.41 acre tract;

17       THENCE; South 0° 08' 09" West 459.6 feet to a 1/2" iron pipe  
18 found for corner;

19       THENCE; North 89° 19' 51" East 1359.60 feet to a 1/2" iron rod  
20 found for corner;

21       THENCE; South 0° 11' 54" West, along a barbed wire fence, at  
22 2656.39 feet pass a 1/2" iron rod found on line in the North  
23 right-of-way fence of a closed portion of Belk Road, and continue to  
24 a total distance of 2711.4 feet to a point for corner in the South  
25 line of the Andrew Roberts Labor, Abstract 363;

26       THENCE; South 89° 19' 10" West 1376.13 feet, along the South  
27 line of the Andrew Roberts labor, Abstract 363, to the place of

1 beginning.

2 Said tract therein containing 85.95 acres of land.

3 The reference bearing for this survey is the North line of the  
4 S. J. Jamison 100 acre tract in the William Roberts League, Abstract  
5 124, as described in a deed recorded in Volume 578, Page 443 of the  
6 Deed Records of Brazoria County, Texas. The bearing of the North  
7 line, for reference, is South 89° 47' West.

8 TRACT 4

9 FIELD NOTES OF A 132.13 ACRE TRACT OUT OF A 134.73 ACRE TRACT  
10 OUT OF TRACT 158 (50 ACRES, VOLUME 989, PAGE 287, BRAZORIA COUNTY  
11 DEED RECORDS) AND TRACT 159 (100 ACRES, VOLUME 226, PAGE 256,  
12 BRAZORIA COUNTY DEED RECORDS) OUT OF THE JOSE DE JESUS VALDERAS  
13 SURVEY, ABSTRACT 380, BRAZORIA COUNTY, TEXAS, AND BEING MORE  
14 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

15 BEGINNING at a 1/2" iron rod found at the intersection of the  
16 West line of the Jose de Jesus Valderas Survey, Abstract 380, with  
17 the South line of a 31.74 acre tract described in a deed recorded in  
18 File 1997-006563 of the Official Records of Brazoria County, Texas;

19 THENCE; North 88° 29' 40" East 350.83 feet, along the South  
20 line of said 31.74 acre tract, to a 1/2" iron rod found for corner at  
21 the Southeast corner of said 31.74 acre tract;

22 THENCE; North 1° 33' 32" West 923.92 feet, along the East line  
23 of said 31.74 acre tract, to a 1/2" iron rod found for corner in the  
24 South line of a called 1.810 acre tract conveyed to the City of  
25 Angleton by deed recorded in File 1997-022173 of the Official  
26 Records of Brazoria County, Texas;

27 THENCE; North 88° 30' 36" East 747.51 feet, along the south

1 line of said 1.810 acre tract, to a 1/2" iron rod found for angle  
2 point;

3       THENCE; North 88° 36' 36" East 1088.22 feet, along the South  
4 line of said called 1.810 acre tract, to a 1/2" iron rod found for  
5 corner at the Southeast corner of said called 1.810 acre tract; said  
6 rod also being in the West line of a called nine acre tract conveyed  
7 to Brazoria County by deed recorded in Volume 35, Page 457 of the  
8 Deed Records of Brazoria County, Texas;

9       THENCE; South 0° 33' 01" East, along the West line of said nine  
10 acre tract, at 4.96 feet pass a 1/2" iron rod found marking the  
11 Southwest corner of a 0.269 acre tract out of said nine acre tract,  
12 and continue to a total distance of 967.82 feet to a 1/2" iron rod  
13 found for corner at the Southwest corner of said nine acre tract;

14       THENCE; South 89° 59' 36" East 248.07 feet, along the South  
15 line of said nine acre tract, to a 1/2" iron rod found for corner at  
16 the intersection of said South line with the West right-of-way line  
17 of the State Highway 288 Freeway;

18       THENCE; South 0° 00' 52" West 324.64 feet, along the West  
19 right-of-way line of the State Highway 288 Freeway, to a concrete  
20 right-of-way monument found for angle point;

21       THENCE; South 0° 05' 06" West 1000.53 feet, along the West  
22 right-of-way line of the State Highway 288 Freeway, to a concrete  
23 right-of-way monument found for angle point;

24       THENCE; South 0° 23' 56" East 373.19 feet, along the West  
25 right-of-way line of the State Highway 288 Freeway, to a 1/2" iron  
26 rod found for corner in the North line of the Andrew Roberts labor,  
27 Abstract 363;

1           THENCE; South 89° 19' 51" West 2328.77 feet, along the north  
2 line of the Andrew Roberts Labor, Abstract 363, to a 1/2" iron pipe  
3 found marking the Northeast corner of a 91.41 acre tract out of said  
4 Abstract 363;

5           THENCE; South 88° 13' West 19.60 feet, along the North line of  
6 said 91.41 acre tract, and the North line of the Andrew Roberts  
7 Labor, Abstract 363, to a 1/2" iron rod found for corner in the East  
8 line of a 75 foot Drainage Easement (2.89 acres) as described in a  
9 deed recorded in File 2013-033166 of the Official Records of  
10 Brazoria County, Texas;

11           THENCE; North 0° 08' 09" East, along the East line of said 75  
12 foot Drainage Easement, for a distance of a 1397.41 feet to a 1/2"  
13 iron rod found for angle point in the East line of said 75 foot  
14 Drainage Easement;

15           THENCE; North 17° 51' 44" West 242.73 feet, along the East  
16 line of said 75 foot Drainage Easement, to a 1/2" iron rod found for  
17 corner in the West line of said 134.73 acre tract; said rod also  
18 being in the West line of the Jose de Jesus Valderas Survey,  
19 Abstract 380, and the East line of the William Roberts League,  
20 Abstract 124;

21           THENCE; North 0° 08' 09" East 86.89 feet, along the West line  
22 of said 134.73 acre tract, to the place of beginning

23           Said tract therein containing 132.13 acres of land.

24           The reference bearing for this survey is the North line of the  
25 S. J. Jamison 100 acre tract in the William Roberts League, Abstract  
26 124, as described in a deed recorded in Volume 578, Page 443 of the  
27 Deed Records of Brazoria County, Texas. The bearing of the North

1 line, for reference, is South 89° 47' West.

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

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

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

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

20 SECTION 4. (a) If this Act does not receive a two-thirds  
21 vote of all the members elected to each house, Subchapter C, Chapter  
22 8099, Special District Local Laws Code, as added by Section 1 of  
23 this Act, is amended by adding Section 8099.0306 to read as follows:

24 Sec. 8099.0306. NO EMINENT DOMAIN POWER. The district may  
25 not exercise the power of eminent domain.

26 (b) This section is not intended to be an expression of a  
27 legislative interpretation of the requirements of Section 17(c),

1 Article I, Texas Constitution.

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