

By: Oliverson

H.B. No. 4734

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of the Green Tree Park Municipal Utility
3 District; granting a limited power of eminent domain; providing
4 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 7889 to read as follows:

9 CHAPTER 7889. GREEN TREE PARK MUNICIPAL UTILITY DISTRICT

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7889.0101. 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 Green Tree Park Municipal
17 Utility District.

18 Sec. 7889.0102. NATURE OF DISTRICT. The district is a
19 municipal utility district created under Section 59, Article XVI,
20 Texas Constitution.

21 Sec. 7889.0103. CONFIRMATION AND DIRECTORS' 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. 7889.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7889.0103 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. 7889.0105. 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. 7889.0106. 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. 7889.0201. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 7889.0202, directors
6 serve staggered four-year terms.

7 Sec. 7889.0202. TEMPORARY DIRECTORS. (a) On or after the
8 effective date of the Act enacting this chapter, the owner or owners
9 of a majority of the assessed value of the real property in the
10 district may submit a petition to the commission requesting that
11 the commission appoint as temporary directors the five persons
12 named in the petition. The commission shall appoint as temporary
13 directors the five persons named in the petition.

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

15 (1) the date permanent directors are elected under
16 Section 7889.0103; 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 7889.0103 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 7889.0103; 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. 7889.0301. 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. 7889.0302. 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. 7889.0303. AUTHORITY FOR ROAD PROJECTS. (a) Under
18 Section 52, Article III, Texas Constitution, the district may
19 design, acquire, construct, finance, issue bonds for, improve, and
20 convey to this state, a county, or a municipality for operation and
21 maintenance macadamized, graveled, or paved roads described by
22 Section 54.234, Water Code, or improvements, including storm
23 drainage, in aid of those roads.

24 (b) The district may exercise the powers provided by this
25 section without submitting a petition to or obtaining approval from
26 the commission as required by Section 54.234, Water Code.

27 Sec. 7889.0304. APPROVAL OF ROAD PROJECT. (a) The district

1 may not undertake a road project authorized by Section 7889.0303
2 unless:

3 (1) each municipality or county that will operate and
4 maintain the road has approved the plans and specifications of the
5 road project, if a municipality or county will operate and maintain
6 the road; or

7 (2) the Texas Transportation Commission has approved
8 the plans and specifications of the road project, if the state will
9 operate and maintain the road.

10 (b) Except as provided by Subsection (a), the district is
11 not required to obtain approval from the Texas Transportation
12 Commission to design, acquire, construct, finance, issue bonds for,
13 improve, or convey a road project.

14 Sec. 7889.0305. COMPLIANCE WITH MUNICIPAL CONSENT
15 ORDINANCE OR RESOLUTION. The district shall comply with all
16 applicable requirements of any ordinance or resolution that is
17 adopted under Section 54.016 or 54.0165, Water Code, and that
18 consents to the creation of the district or to the inclusion of land
19 in the district.

20 Sec. 7889.0306. LIMITATION ON USE OF EMINENT DOMAIN. The
21 district may not exercise the power of eminent domain outside the
22 district to acquire a site or easement for:

23 (1) a road project authorized by Section 7889.0303; or

24 (2) a recreational facility as defined by Section
25 49.462, Water Code.

26 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

27 Sec. 7889.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

1 The district may issue, without an election, bonds and other
2 obligations secured by:

3 (1) revenue other than ad valorem taxes; or

4 (2) contract payments described by Section 7889.0403.

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

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

13 Sec. 7889.0402. OPERATION AND MAINTENANCE TAX. (a) If
14 authorized at an election held under Section 7889.0401, the
15 district may impose an operation and maintenance tax on taxable
16 property in the district in accordance with Section 49.107, Water
17 Code.

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

20 Sec. 7889.0403. CONTRACT TAXES. (a) In accordance with
21 Section 49.108, Water Code, the district may impose a tax other than
22 an operation and maintenance tax and use the revenue derived from
23 the tax to make payments under a contract after the provisions of
24 the contract have been approved by a majority of the district voters
25 voting at an election held for that purpose.

26 (b) A contract approved by the district voters may contain a
27 provision stating that the contract may be modified or amended by

1 the board without further voter approval.

2 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3 Sec. 7889.0501. AUTHORITY TO ISSUE BONDS AND OTHER
4 OBLIGATIONS. The district may issue bonds or other obligations
5 payable wholly or partly from ad valorem taxes, impact fees,
6 revenue, contract payments, grants, or other district money, or any
7 combination of those sources, to pay for any authorized district
8 purpose.

9 Sec. 7889.0502. TAXES FOR BONDS. At the time the district
10 issues bonds payable wholly or partly from ad valorem taxes, the
11 board shall provide for the annual imposition of a continuing
12 direct ad valorem tax, without limit as to rate or amount, while all
13 or part of the bonds are outstanding as required and in the manner
14 provided by Sections 54.601 and 54.602, Water Code.

15 Sec. 7889.0503. BONDS FOR ROAD PROJECTS. At the time of
16 issuance, the total principal amount of bonds or other obligations
17 issued or incurred to finance road projects and payable from ad
18 valorem taxes may not exceed one-fourth of the assessed value of the
19 real property in the district.

20 SECTION 2. The Green Tree Park Municipal Utility District
21 initially includes all the territory contained in the following
22 area:

23 TRACT 1: That certain tract of land situated in Harris
24 County, Texas, out of the SOLOMON BROWN LEAGUE, A-5, and A-7, Harris
25 County, as described in deed from F.E. Ingram et ux, to C.T.
26 Hackney, dated October 6, 1860, and from Oscar Hillegeist to Wm.
27 Hillegeist, recorded in the Deed of Harris County, Texas, in Volume

1 460, Page 461, and said tract being more particularly described as
2 follows, to wit:

3 From the Southwest corner of said Solomon Brown League, A-7,
4 Harris County, Texas, GO East a distance of 2850 feet and North,
5 crossing Waller-Tomball Road, a distance of 3403 feet to a 1 1/2
6 inch iron pipe found for the southwest corner of the tract herein
7 described and the POINT OF BEGINNING;

8 THENCE, on a bearing of NORTH 00 DEGREES 49 MINUTES 55 SECONDS
9 EAST, a distance of 7199.94 feet (called North 2450 varas or 6805.56
10 feet) to an old axle found for the Northwest corner of the tract
11 herein described, and from which a 1-1/2 G.I.P. was found bearing
12 East a distance of 3.06 feet;

13 THENCE, on a bearing of SOUTH 89 DEGREES 49 MINUTES 30 SECONDS
14 EAST, a distance of 630.40 feet (called East 220 varas or 611.11
15 feet) to a 1-1/2-inch iron rod found for the Northeast corner of the
16 tract herein described;

17 THENCE, on a bearing of SOUTH 00 DEGREES 22 MINUTES 00 SECONDS
18 WEST, a distance of 7200.44 feet (called South 2450 varas or 6805.56
19 feet) to a 3/4-inch iron rod found for the Southeast corner of the
20 tract herein described and from which a 1/4-inch copper rod was
21 found bearing North a distance of 2.5 feet;

22 THENCE, on a bearing of SOUTH 89 DEGREES 44 MINUTES 50 SECONDS
23 WEST, a distance of 688.85 feet (called West 220 varas or 611.11
24 feet) to the POINT OF BEGINNING;

25 SAVE AND EXCEPT all of the property located in Montgomery
26 County, Texas but including all of the property located in Harris
27 County, Texas; and

1 BEING a 60 foot wide road easement in the Solomon Brown
2 Survey, Abstract 7, Harris County, Texas. being out of 34.5406
3 acres recorded in Volume 8298, Page 420, Deed Records, Harris
4 County, Texas, said 60 foot wide road easement being more
5 particularly described as follows:

6 COMMENCING at a 5/8-inch iron rod marking the Intersection of
7 the North right-of-way line of FM Road Number 2920 (80 feet wide)
8 and the West right-of-way line of Three Pines Drive (60 feet wide),
9 said beginning point also being the Southwest corner of that
10 certain road described in deed recorded In Volume 6890, Page 620,
11 Deed Records, Harris County, Texas;

12 THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, 2038.43
13 feet, with the West line of Three Pines Drive, to a point in the
14 center line of a 20 foot wide Southern Union Production Company pipe
15 line easement, recorded in Volume 1109, Page 302, Deed Records,
16 Harris County, Texas;

17 THENCE NORTH 80 DEGREES 07 MINUTES 42 SECONDS EAST, 238.00
18 feet with said pipe line easement centerline to a point for the most
19 Northerly Southeast corner of said 34.5406 acres;

20 THENCE NORTH 00 DEGREES 39 MINUTES 20 SECONDS WEST, 792.63
21 feet, with the East line of said 34.5406 acres to an angle point in
22 same;

23 THENCE due, NORTH, 582.84 feet, continuing in the East line
24 of said 34.5406 acres to a point for corner and PLACE OF BEGINNING;

25 THENCE due, WEST, 228.09 feet in the South line of said road
26 easement to a point for corner in the East right-of-way line of
27 Three Pines Drive;

1 THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, 60.00
2 feet, with said Three Pines Drive right-of-way to a point for corner
3 THENCE due, EAST, 228.71 feet with the North line of said road
4 easement to a point for corner;
5 THENCE due, SOUTH, 60.00 feet with the East line of said
6 50.7971 acres to the PLACE OF BEGINNING.

7 TRACT 2: That certain tract of land situated in Harris
8 County, Texas, out of the SOLOMON BROWN LEAGUE, A-5, and A-7, Harris
9 County, as described in deed from F.E. Ingram et ux, to C.T.
10 Hackney, dated October 6, 1860, and from Oscar Hillegeist to Wm.
11 Hillegeist, recorded in the Deed of Harris County, Texas, in Volume
12 460, Page 461, and said tract being more particularly described as
13 follows, to wit:

14 From the Southwest corner of said Solomon Brown League, A-7,
15 Harris County, Texas, GO East a distance of 2850 feet and North,
16 crossing Waller-Tomball Road, a distance of 3403 feet to a
17 1-1/2-inch iron pipe found for the Southwest corner of the tract
18 herein described and the POINT OF BEGINNING;

19 THENCE, on a bearing of NORTH 00 DEGREES 49 MINUTES 55 SECONDS
20 EAST, a distance of 7199.94 feet (called North 2450 varas or 6805.56
21 feet) to an old axle found for the Northwest corner of the tract
22 herein described, and from which a 1-1/2 G.I.P. was found bearing
23 East a distance of 3.06 feet;

24 THENCE, on a bearing of SOUTH 89 DEGREES 49 MINUTES 30 SECONDS
25 EAST, a distance of 630.40 feet (called East 220 varas or 611.11
26 feet) to a 1-1/2-inch iron rod found for the Northeast corner of the
27 tract herein described;

1 THENCE, on a bearing of SOUTH 00 DEGREES 22 MINUTES 00 SECONDS
2 WEST, a distance of 7200.44 feet (called South 2450 varas or 6805.56
3 feet) to a 3/4 inch iron rod found for the Southeast corner of the
4 tract herein described and from which a 1/4-inch copper rod was
5 found bearing North a distance of 2.5 feet;

6 THENCE, on a bearing of SOUTH 89 DEGREES 44 MINUTES 50 SECONDS
7 WEST, a distance of 688.85 feet (called West 220 varas or 611.11
8 feet) to the POINT OF BEGINNING;

9 SAVE AND EXCEPT all of the property located in Montgomery
10 County, Texas but including all of the property located in Harris
11 County, Texas; and

12 BEING a 60 foot wide road easement in the Solomon Brown
13 Survey, Abstract 7, Harris County, Texas, being out of 34.5406
14 acres recorded in Volume 8298, Page 420, Deed Records, Harris
15 County, Texas said 60 foot wide road easement being more
16 particularly described as follows:

17 COMMENCING at a 5/8-inch iron rod marking the Intersection of
18 the North right-of-way line of FM Road Number 2920 (80 feet wide)
19 and the West right-of-way line of Three Pines Drive (60 feet wide),
20 said beginning point also being the Southwest corner of that
21 certain road described in deed recorded in Volume 6890, Page 620,
22 Deed Records, Harris County, Texas;

23 THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, 2038.43
24 feet, with the West line of Three Pines Drive, to a point in the
25 center line of a 20 foot wide Southern Union Production Company pipe
26 line easement, recorded in Volume 1109, Page 302, Deed Records,
27 Harris County, Texas;

1 THENCE NORTH 80 DEGREES 07 MINUTES 42 SECONDS EAST, 238.00
2 feet with said pipe line easement centerline to a point for the most
3 Northerly Southeast corner of said 34.5406 acres;

4 THENCE NORTH 00 DEGREES 39 MINUTES 20 SECONDS WEST, 792.63
5 feet, with the East line of said 34.5406 acres to an angle point in
6 same;

7 THENCE due, NORTH, 582.84 feet, continuing in the East line
8 of said 34.5406 acres to a point for corner and PLACE OF BEGINNING;

9 THENCE due, WEST, 228.09 feet in the South line of said road
10 easement to a point for corner in the East right-of-way line of
11 Three Pines Drive;

12 THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, 60.00
13 feet, with said Three Pines Drive right-of-way to a point for
14 corner;

15 THENCE due, EAST, 228.71 feet with the North line of said road
16 easement to a point for corner;

17 THENCE due, SOUTH, 60.00 feet with the East line of said
18 50.7971 acres to the PLACE OF BEGINNING.

19 TRACT 3: Being a tract or parcel of land containing 9.997
20 acres, more or less, located in the Solomon Brown League, A-7,
21 Harris County, Texas, and being a portion of that certain call
22 12.3160 acre tract conveyed to Kevin R. Kerr as recorded in File
23 No. S-897817, and refiled under File No. S-910817 of the Harris
24 County Official Public Records of Real Property (HCOPRRP), said
25 9.997 acres being more particularly described by metes and bounds
26 as follows:

27 COMMENCING at a 1/2-inch iron rod found on the North

1 right-of-way (ROW) line of FM-2920 (formerly Tomball-Waller. Road,
2 100 feet wide), said rod marking the Southwest corner of the
3 aforesaid call 12.3160 acre Kevin R. Kerr tract, said rod also being
4 the Southeast corner of a call 0.8426 acre tract conveyed to Barbara
5 Waldrop, as recorded in File No. T-884120, HCOPRRP, from which a
6 5/8-inch iron rod found marking the southwest corner of said
7 Waldrop tract, and the intersection of the North ROW line of said
8 EM-2920 with the east ROW line of Three Pine Lane (60 feet wide),
9 bears SOUTH 83 DEGREES 02 MINUTES 36 SECONDS WEST, 176.12 feet;

10 THENCE NORTH 01 DEGREES 32 MINUTES 36 SECONDS WEST, leaving
11 said north ROW line, and along the West line of said 12.3160 acre
12 Kerr tract, at 200.09 feet passing a 5/8-inch iron rod found (1.50
13 feet west) for Northeast corner of said Waldrop tract, same being
14 the Southeast corner of a call 1.1843 acre tract conveyed to Chad
15 Bolton, et ux, as recorded in File No. P-468635, HCOPRRP, and
16 continuing, in all, a total distance of 254.00 feet to a 5/8-inch
17 iron rod with cap set for most Westerly Southwest corner of the
18 herein described tract, the POINT OF BEGINNING;

19 THENCE NORTH 01 DEGREES 32 MINUTES 36 SECONDS WEST,
20 continuing along the west line of said call 12.3160 acre Kerr tract,
21 at 240.84 feet passing a 5/8-inch iron rod found (2.90 feet west)
22 for Northeast corner of said 1.1843 acre Bolton tract, same being
23 the Southeast corner of a call 0.6468 acre tract conveyed to Ben L.
24 Nicholson, et ux, and Alan Broussard, as recorded in File
25 No. T-544630, HCOPRRP, at 402.15 feet passing the Northeast corner
26 of said 0.6468 acre Nicholson et al tract, same being the Southeast
27 corner of a call 0.6026 acre tract conveyed to Alan A. Broussard as

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1 recorded in File No. T-544629, HCOPRRP, at 551.47 feet passing a
2 5/8-inch iron rod found (3.92 feet west) for Northeast corner of
3 said 0.6468 Broussard tract, same being the Southeast corner of a
4 call 1.9927 acre tract conveyed to Vince Yokom, et ux, as recorded
5 in File No. T-129792, HCOPRRP, and continuing, in all, a total
6 distance of 553.28 feet to a 1-1/2-inch iron pipe found for
7 Northwest corner of the herein described tract, said pipe being the
8 Southwest corner of the residue of an original 100 acre tract
9 (called 50 acres) as conveyed to JAJO Land Company, Inc., and
10 recorded in File No. G-018758, and File No. T-738618, HCOPRRP;

11 THENCE NORTH 88 DEGREES 04 MINUTES 55 SECONDS EAST, along the
12 North line of said 12.3160 acre Kerr tract, same being the South
13 line of said 50 acre JAJO Land Company tract, 611.76 feet to a
14 5/8-inch iron rod with cap set for Northeast corner of the herein
15 described tract, from which a 1-inch iron rod found marking the
16 Northeast corner of said 12.3160 Kerr tract bears NORTH 88 DEGREES
17 04 MINUTES 55 SECONDS EAST, 75.90 feet;

18 THENCE SOUTH 01 DEGREES 54 MINUTES 00 SECONDS EAST, leaving
19 the South line of said call 50 acre JAJO Land Company tract, a
20 distance of 752.67 feet to a 5/8-inch iron rod with cap set for
21 Southeast corner of the herein described tract, said rod being on
22 the North ROW line of said FM-2920 (100 feet wide), said rod also
23 being on the arc of a curve, from which a 5/8-inch iron rod found in
24 said curve for Southeast corner of said 12.3160 acre Kerr tract
25 bears (along its long chord) NORTH 81 DEGREES 59 MINUTES 19 SECONDS
26 EAST, 76.33 feet;

27 THENCE along the North ROW line of said FM-2920, 180.15 feet

1 along the arc of a curve to the right, said curve having a chord
2 which bears SOUTH 82 DEGREES 37 MINUTES 57 SECONDS WEST, a chord
3 distance of 180.14 feet, a radius of 11409.30 feet and a central
4 angle of 00 DEGREES 54 MINUTES 17 SECONDS to a concrete monument
5 found for the end of said curve;

6 THENCE SOUTH 83 DEGREES 11 MINUTES 00 SECONDS WEST,
7 continuing along said North ROW line, a distance of 252.08 feet to a
8 5/8-inch iron rod with cap set for most Southerly Southwest corner
9 of the herein described tract;

10 THENCE NORTH 06 DEGREES 31 MINUTES 46 SECONDS WEST, leaving
11 said North ROW line, a distance of 247.00 feet to a 5/8-inch iron
12 rod set for interior corner;

13 THENCE SOUTH 85 DEGREES 14 MINUTES 32 SECONDS WEST, a
14 distance of 165.00 feet to the POINT OF BEGINNING and containing
15 9.997 acres (435,452 square feet based on mathematical closure) of
16 land, more or less.

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

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

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

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

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

8 SECTION 4. (a) Section 7889.0306, Special District Local
9 Laws Code, as added by Section 1 of this Act, takes effect only if
10 this Act receives a two-thirds vote of all the members elected to
11 each house.

12 (b) If this Act does not receive a two-thirds vote of all the
13 members elected to each house, Subchapter C, Chapter 7889, Special
14 District Local Laws Code, as added by Section 1 of this Act, is
15 amended by adding Section 7889.0306 to read as follows:

16 Sec. 7889.0306. NO EMINENT DOMAIN POWER. The district may
17 not exercise the power of eminent domain.

18 (c) This section is not intended to be an expression of a
19 legislative interpretation of the requirements of Section 17(c),
20 Article I, Texas Constitution.

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