

By: Kolkhorst

S.B. No. 2470

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Richfield Ranch Management District of Harris County, Texas; providing authority to issue bonds; providing authority to impose assessments, 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 3975 to read as follows:

CHAPTER 3975. RICHFIELD RANCH MANAGEMENT DISTRICT OF HARRIS COUNTY, TEXAS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3975.0101. DEFINITIONS. In this chapter:

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

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

(3) "County" means Harris County.

(4) "Director" means a board member.

(5) "District" means the Richfield Ranch Management District of Harris County, Texas.

Sec. 3975.0102. CREATION AND NATURE OF DISTRICT; IMMUNITY.

(a) The district is a special district created under Section 59, Article XVI, Texas Constitution.

(b) The district is a governmental unit, as provided by Section 375.004, Local Government Code.

(c) This chapter does not waive any governmental or

1 sovereign immunity from suit, liability, or judgment that would
2 otherwise apply to the district.

3 Sec. 3975.0103. PURPOSE; DECLARATION OF INTENT. (a) The
4 creation of the district is essential to accomplish the purposes of
5 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
6 Texas Constitution, and other public purposes stated in this
7 chapter.

8 (b) By creating the district, the legislature has
9 established a program to accomplish the public purposes set out in
10 Sections 52 and 52-a, Article III, Texas Constitution.

11 (c) The creation of the district is necessary to promote,
12 develop, encourage, and maintain employment, commerce,
13 transportation, housing, tourism, recreation, the arts,
14 entertainment, economic development, safety, and the public
15 welfare in the district.

16 (d) This chapter and the creation of the district may not be
17 interpreted to relieve the county or a municipality from providing
18 the level of services provided as of the effective date of the Act
19 enacting this chapter to the area in the district. The district is
20 created to supplement and not to supplant county or municipal
21 services provided in the district.

22 Sec. 3975.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

23 (a) All land and other property included in the district will
24 benefit from the improvements and services to be provided by the
25 district under powers conferred by Sections 52 and 52-a, Article
26 III, and Section 59, Article XVI, Texas Constitution, and other
27 powers granted under this chapter.

1 (b) The district is created to serve a public use and
2 benefit.

3 (c) The creation of the district is in the public interest
4 and is essential to further the public purposes of:

5 (1) developing and diversifying the economy of the
6 state;

7 (2) eliminating unemployment and underemployment; and

8 (3) developing or expanding transportation and
9 commerce.

10 (d) The district will:

11 (1) promote the health, safety, and general welfare of
12 residents, employers, potential employees, employees, visitors,
13 and consumers in the district, and of the public;

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

17 (3) promote the health, safety, welfare, and enjoyment
18 of the public by providing pedestrian ways, road facilities,
19 transit facilities, parking facilities, recreational facilities,
20 and public art objects and by landscaping and developing certain
21 areas in the district, which are necessary for the restoration,
22 preservation, and enhancement of scenic beauty; and

23 (4) provide for water, wastewater, and drainage
24 facilities for the district.

25 (e) Pedestrian ways along or across a street, whether at
26 grade or above or below the surface, and street lighting, street
27 landscaping, parking, and street art objects are parts of and

1 necessary components of a street and are considered to be a street
2 or road improvement.

3 (f) The district will not act as the agent or
4 instrumentality of any private interest even though the district
5 will benefit many private interests as well as the public.

6 Sec. 3975.0105. INITIAL DISTRICT TERRITORY. (a) The
7 district is initially composed of the territory described by
8 Section 2 of the Act enacting this chapter.

9 (b) The boundaries and field notes contained in Section 2 of
10 the Act enacting this chapter form a closure. A mistake in the
11 field notes or in copying the field notes in the legislative process
12 does not affect the district's:

- 13 (1) organization, existence, or validity;
- 14 (2) right to issue any type of bonds for the purposes
15 for which the district is created or to pay the principal of and
16 interest on the bonds;
- 17 (3) right to impose or collect an assessment or tax; or
- 18 (4) legality or operation.

19 Sec. 3975.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
20 All or any part of the area of the district is eligible to be
21 included in:

- 22 (1) a tax increment reinvestment zone created under
23 Chapter 311, Tax Code;
- 24 (2) a tax abatement reinvestment zone created under
25 Chapter 312, Tax Code;
- 26 (3) an enterprise zone created under Chapter 2303,
27 Government Code; or

1 (4) an industrial district created under Chapter 42,
2 Local Government Code.

3 Sec. 3975.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
4 DISTRICTS LAW. Except as otherwise provided by this chapter,
5 Chapter 375, Local Government Code, applies to the district.

6 Sec. 3975.0108. LIBERAL CONSTRUCTION OF CHAPTER. This
7 chapter shall be liberally construed in conformity with the
8 findings and purposes stated in this chapter.

9 Sec. 3975.0109. CONFLICTS OF LAW. This chapter prevails
10 over any provision of general law, including a provision of Chapter
11 375, Local Government Code, or Chapter 49, Water Code, that is in
12 conflict or inconsistent with this chapter.

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 3975.0201. GOVERNING BODY; TERMS. (a) The district
15 is governed by a board of five directors elected or appointed as
16 provided by this chapter and Subchapter D, Chapter 49, Water Code.

17 (b) Except as provided by Section 3975.0203, directors
18 serve staggered four-year terms.

19 Sec. 3975.0202. COMPENSATION. A director is entitled to
20 receive fees of office and reimbursement for actual expenses as
21 provided by Section 49.060, Water Code. Sections 375.069 and
22 375.070, Local Government Code, do not apply to the board.

23 Sec. 3975.0203. TEMPORARY DIRECTORS. (a) On or after the
24 effective date of the Act enacting this chapter, the owner or owners
25 of a majority of the assessed value of the real property in the
26 district according to the most recent certified tax appraisal roll
27 for the county may submit a petition to the commission requesting

1 that the commission appoint as temporary directors the five persons
2 named in the petition. The commission shall appoint as temporary
3 directors the five persons named in the petition.

4 (b) The temporary directors shall hold an election to elect
5 five permanent directors as provided by Section 49.102, Water Code.

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

7 (1) the date permanent directors are elected under
8 Subsection (b); or

9 (2) the fourth anniversary of the effective date of
10 the Act enacting this chapter.

11 (d) If permanent directors have not been elected under
12 Subsection (b) and the terms of the temporary directors have
13 expired, successor temporary directors shall be appointed or
14 reappointed as provided by Subsection (e) to serve terms that
15 expire on the earlier of:

16 (1) the date permanent directors are elected under
17 Subsection (b); or

18 (2) the fourth anniversary of the date of the
19 appointment or reappointment.

20 (e) If Subsection (d) applies, the owner or owners of a
21 majority of the assessed value of the real property in the district
22 according to the most recent certified tax appraisal roll for the
23 county may submit a petition to the commission requesting that the
24 commission appoint as successor temporary directors the five
25 persons named in the petition. The commission shall appoint as
26 successor temporary directors the five persons named in the
27 petition.

1 Sec. 3975.0204. DISQUALIFICATION OF DIRECTORS. Section
2 49.052, Water Code, applies to the members of the board.

3 SUBCHAPTER C. POWERS AND DUTIES

4 Sec. 3975.0301. GENERAL POWERS AND DUTIES. The district
5 has the powers and duties necessary to accomplish the purposes for
6 which the district is created.

7 Sec. 3975.0302. IMPROVEMENT PROJECTS AND SERVICES.

8 (a) The district, using any money available to the district for
9 the purpose, may provide, design, construct, acquire, improve,
10 relocate, operate, maintain, or finance an improvement project or
11 service authorized under this chapter or Chapter 375, Local
12 Government Code.

13 (b) The district may contract with a governmental or private
14 entity to carry out an action under Subsection (a).

15 (c) The implementation of a district project or service is a
16 governmental function or service for the purposes of Chapter 791,
17 Government Code.

18 Sec. 3975.0303. RECREATIONAL FACILITIES. The district may
19 develop or finance recreational facilities as authorized by Chapter
20 375, Local Government Code, Sections 52 and 52-a, Article III,
21 Texas Constitution, Section 59, Article XVI, Texas Constitution,
22 and any other law that applies to the district.

23 Sec. 3975.0304. AUTHORITY FOR ROAD PROJECTS. Under Section
24 52, Article III, Texas Constitution, the district may own, operate,
25 maintain, design, acquire, construct, finance, issue bonds, notes,
26 or other obligations for, improve, and convey to this state, a
27 county, or a municipality for ownership, operation, and maintenance

1 macadamized, graveled, or paved roads or improvements, including
2 storm drainage, in aid of those roads.

3 Sec. 3975.0305. CONVEYANCE AND APPROVAL OF ROAD PROJECT.

4 (a) The district may convey a road project authorized by Section
5 3975.0304 to:

6 (1) a municipality or county that will operate and
7 maintain the road if the municipality or county has approved the
8 plans and specifications of the road project; or

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

12 (b) Except as provided by Subsection (c), the district shall
13 operate and maintain a road project authorized by Section 3975.0304
14 that the district implements and does not convey to a municipality,
15 a county, or this state under Subsection (a).

16 (c) The district may agree in writing with a municipality, a
17 county, or this state to assign operation and maintenance duties to
18 the district, the municipality, the county, or this state in a
19 manner other than the manner described in Subsections (a) and (b).

20 Sec. 3975.0306. NONPROFIT CORPORATION. (a) The board by
21 resolution may authorize the creation of a nonprofit corporation to
22 assist and act for the district in implementing a project or
23 providing a service authorized by this chapter.

24 (b) The nonprofit corporation:

25 (1) has each power of and is considered to be a local
26 government corporation created under Subchapter D, Chapter 431,
27 Transportation Code; and

1 (2) may implement any project and provide any service
2 authorized by this chapter.

3 (c) The board shall appoint the board of directors of the
4 nonprofit corporation. The board of directors of the nonprofit
5 corporation shall serve in the same manner as the board of directors
6 of a local government corporation created under Subchapter D,
7 Chapter 431, Transportation Code, except that a board member is not
8 required to reside in the district.

9 Sec. 3975.0307. LAW ENFORCEMENT SERVICES. Section 49.216,
10 Water Code, applies to the district.

11 Sec. 3975.0308. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
12 The district may join and pay dues to a charitable or nonprofit
13 organization that performs a service or provides an activity
14 consistent with the furtherance of a district purpose.

15 Sec. 3975.0309. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
16 district may engage in activities that accomplish the economic
17 development purposes of the district.

18 (b) The district may establish and provide for the
19 administration of one or more programs to promote state or local
20 economic development and to stimulate business and commercial
21 activity in the district, including programs to:

22 (1) make loans and grants of public money; and

23 (2) provide district personnel and services.

24 (c) The district may create economic development programs
25 and exercise the economic development powers that:

26 (1) Chapter 380, Local Government Code, provides to a
27 municipality; and

1 (2) Subchapter A, Chapter 1509, Government Code,
2 provides to a municipality.

3 Sec. 3975.0310. STRATEGIC PARTNERSHIP AGREEMENT. The
4 district may negotiate and enter into a written strategic
5 partnership agreement with a municipality under Section 43.0751,
6 Local Government Code.

7 Sec. 3975.0311. REGIONAL PARTICIPATION AGREEMENT. The
8 district may negotiate and enter into a written regional
9 participation agreement with a municipality under Section 43.0754,
10 Local Government Code.

11 Sec. 3975.0312. PARKING FACILITIES. (a) The district may
12 acquire, lease as lessor or lessee, construct, develop, own,
13 operate, and maintain parking facilities or a system of parking
14 facilities, including lots, garages, parking terminals, or other
15 structures or accommodations for parking motor vehicles off the
16 streets and related appurtenances.

17 (b) The district's parking facilities serve the public
18 purposes of the district and are owned, used, and held for a public
19 purpose even if leased or operated by a private entity for a term of
20 years.

21 (c) The district's parking facilities are parts of and
22 necessary components of a street and are considered to be a street
23 or road improvement.

24 (d) The development and operation of the district's parking
25 facilities may be considered an economic development program.

26 Sec. 3975.0313. ADDING OR EXCLUDING LAND. (a) The
27 district may add land as provided by Subchapter J, Chapter 49, Water

1 Code.

2 (b) The district may exclude land as provided by Subchapter
3 J, Chapter 49, Water Code. Section 375.044(b), Local Government
4 Code, does not apply to the district.

5 (c) The district may include and exclude land as provided by
6 Sections 54.739-54.747, Water Code. A reference in those sections
7 to a "tax" means an ad valorem tax for the purposes of this
8 subsection.

9 (d) If the district adopts a sales and use tax authorized at
10 an election held under Section 3975.0602 and subsequently includes
11 new territory in the district under this section, the district:

12 (1) is not required to hold another election to
13 approve the imposition of the sales and use tax in the included
14 territory; and

15 (2) shall impose the sales and use tax in the included
16 territory as provided by Chapter 321, Tax Code.

17 (e) If the district adopts a sales and use tax authorized at
18 an election held under Section 3975.0602 and subsequently excludes
19 territory in the district under this section, the sales and use tax
20 is inapplicable to the excluded territory, as provided by Chapter
21 321, Tax Code, but is applicable to the territory remaining in the
22 district.

23 Sec. 3975.0314. DISBURSEMENTS AND TRANSFERS OF MONEY. The
24 board by resolution shall establish the number of directors'
25 signatures and the procedure required for a disbursement or
26 transfer of district money.

27 Sec. 3975.0315. AUDIT EXEMPTION. (a) The district may

1 elect to complete an annual financial report in lieu of an annual
2 audit under Section 375.096(a)(6), Local Government Code, if:

3 (1) the district had no bonds or other long-term (more
4 than one year) liabilities outstanding during the fiscal period;

5 (2) the district did not have gross receipts from
6 operations, loans, taxes, assessments, or contributions in excess
7 of \$250,000 during the fiscal period; and

8 (3) the district's cash and temporary investments were
9 not in excess of \$250,000 during the fiscal period.

10 (b) Each annual financial report prepared in accordance
11 with this section must be open to public inspection and accompanied
12 by an affidavit signed by a duly authorized representative of the
13 district attesting to the accuracy and authenticity of the
14 financial report.

15 (c) The annual financial report and affidavit shall be
16 substantially similar in form to the annual financial report and
17 affidavit forms prescribed by the executive director of the
18 commission under Section 49.198, Water Code.

19 Sec. 3975.0316. NO EMINENT DOMAIN POWER. The district may
20 not exercise the power of eminent domain.

21 SUBCHAPTER D. ASSESSMENTS

22 Sec. 3975.0401. PETITION REQUIRED FOR FINANCING SERVICES
23 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance
24 a service or improvement project with assessments under this
25 chapter unless a written petition requesting that service or
26 improvement has been filed with the board.

27 (b) A petition filed under Subsection (a) must be signed by

1 the owners of a majority of the assessed value of real property in
2 the district subject to assessment according to the most recent
3 certified tax appraisal roll for the county.

4 Sec. 3975.0402. METHOD OF NOTICE FOR HEARING. The district
5 may mail the notice required by Section 375.115(c), Local
6 Government Code, by certified or first class United States mail.
7 The board shall determine the method of notice.

8 Sec. 3975.0403. ASSESSMENTS; LIENS FOR ASSESSMENTS.

9 (a) The board by resolution may impose and collect an assessment
10 for any purpose authorized by this chapter in all or any part of the
11 district.

12 (b) An assessment, a reassessment, or an assessment
13 resulting from an addition to or correction of the assessment roll
14 by the district, penalties and interest on an assessment or
15 reassessment, an expense of collection, and reasonable attorney's
16 fees incurred by the district:

17 (1) are a first and prior lien against the property
18 assessed;

19 (2) are superior to any other lien or claim other than
20 a lien or claim for county, school district, or municipal ad valorem
21 taxes; and

22 (3) are the personal liability of and a charge against
23 the owners of the property even if the owners are not named in the
24 assessment proceedings.

25 (c) The lien is effective from the date of the board's
26 resolution imposing the assessment until the date the assessment is
27 paid. The board may enforce the lien in the same manner that the

1 board may enforce an ad valorem tax lien against real property.

2 (d) The board may make a correction to or deletion from the
3 assessment roll that does not increase the amount of assessment of
4 any parcel of land without providing notice and holding a hearing in
5 the manner required for additional assessments.

6 SUBCHAPTER E. TAXES AND BONDS

7 Sec. 3975.0501. TAX ELECTION REQUIRED. The district must
8 hold an election in the manner provided by Chapter 49, Water Code,
9 or, if applicable, Chapter 375, Local Government Code, to obtain
10 voter approval before the district may impose an ad valorem tax.

11 Sec. 3975.0502. OPERATION AND MAINTENANCE TAX. (a) If
12 authorized by a majority of the district voters voting at an
13 election under Section 3975.0501, the district may impose an
14 operation and maintenance tax on taxable property in the district
15 in the manner provided by Section 49.107, Water Code, for any
16 district purpose, including to:

17 (1) maintain and operate the district;

18 (2) construct or acquire improvements; or

19 (3) provide a service.

20 (b) The board shall determine the operation and maintenance
21 tax rate. The rate may not exceed the rate approved at the
22 election.

23 (c) Section 49.107(h), Water Code, does not apply to the
24 district.

25 Sec. 3975.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
26 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
27 terms determined by the board.

1 (b) The district, by competitive bid or negotiated sale, may
2 issue bonds, notes, or other obligations payable wholly or partly
3 from ad valorem taxes, assessments, impact fees, revenue, contract
4 payments, grants, or other district money, or any combination of
5 those sources of money, to pay for any authorized district purpose.

6 (c) The limitation on the outstanding principal amount of
7 bonds, notes, or other obligations provided by Section 49.4645,
8 Water Code, does not apply to the district.

9 Sec. 3975.0504. BONDS SECURED BY REVENUE OR CONTRACT
10 PAYMENTS. The district may issue, without an election, bonds
11 secured by:

12 (1) revenue other than ad valorem taxes, including
13 contract revenues; or

14 (2) contract payments, provided that the requirements
15 of Section 49.108, Water Code, have been met.

16 Sec. 3975.0505. BONDS SECURED BY AD VALOREM TAXES;
17 ELECTIONS. (a) If authorized at an election under Section
18 3975.0501, the district may issue bonds payable from ad valorem
19 taxes.

20 (b) Section 375.243, Local Government Code, does not apply
21 to the district.

22 (c) At the time the district issues bonds payable wholly or
23 partly from ad valorem taxes, the board shall provide for the annual
24 imposition of a continuing direct annual ad valorem tax, without
25 limit as to rate or amount, for each year that all or part of the
26 bonds are outstanding as required and in the manner provided by
27 Sections 54.601 and 54.602, Water Code.

1 (d) All or any part of any facilities or improvements that
2 may be acquired by a district by the issuance of its bonds may be
3 submitted as a single proposition or as several propositions to be
4 voted on at the election.

5 Sec. 3975.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The
6 board may not issue bonds until each municipality in whose
7 corporate limits or extraterritorial jurisdiction the district is
8 located has consented by ordinance or resolution to the creation of
9 the district and to the inclusion of land in the district.

10 (b) This section applies only to the district's first
11 issuance of bonds payable from ad valorem taxes.

12 SUBCHAPTER F. SALES AND USE TAX

13 Sec. 3975.0601. APPLICABILITY OF CERTAIN TAX CODE
14 PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition,
15 computation, administration, enforcement, and collection of the
16 sales and use tax authorized by this subchapter except to the extent
17 Chapter 321, Tax Code, is inconsistent with this chapter.

18 (b) A reference in Chapter 321, Tax Code, to a municipality
19 or the governing body of a municipality is a reference to the
20 district or the board, respectively.

21 Sec. 3975.0602. ELECTION; ADOPTION OF TAX. (a) The
22 district may adopt a sales and use tax if authorized by a majority
23 of the voters of the district voting at an election held for that
24 purpose.

25 (b) The board by order may call an election to authorize the
26 adoption of the sales and use tax. The election may be held on any
27 uniform election date and in conjunction with any other district

1 election.

2 (c) The ballot shall be printed to provide for voting for or
3 against the proposition: "Authorization of a sales and use tax in
4 the Richfield Ranch Management District of Harris County, Texas, at
5 a rate not to exceed _____ percent" (insert rate of one or more
6 increments of one-eighth of one percent).

7 Sec. 3975.0603. SALES AND USE TAX RATE. (a) On or after
8 the date the results are declared of an election held under Section
9 3975.0602, at which the voters approved imposition of the tax
10 authorized by this subchapter, the board shall determine and adopt
11 by resolution or order the initial rate of the tax, which must be in
12 one or more increments of one-eighth of one percent.

13 (b) After the election held under Section 3975.0602, the
14 board may increase or decrease the rate of the tax by one or more
15 increments of one-eighth of one percent.

16 (c) The initial rate of the tax or any rate resulting from
17 subsequent increases or decreases may not exceed the lesser of:

18 (1) the maximum rate authorized by the district voters
19 at the election held under Section 3975.0602; or

20 (2) a rate that, when added to the rates of all sales
21 and use taxes imposed by other political subdivisions with
22 territory in the district, would result in the maximum combined
23 rate prescribed by Section 321.101(f), Tax Code, at any location in
24 the district.

25 Sec. 3975.0604. TAX AFTER MUNICIPAL ANNEXATION. (a) This
26 section applies to the district after a municipality annexes part
27 of the territory in the district and imposes the municipality's

1 sales and use tax in the annexed territory.

2 (b) If at the time of annexation the district has
3 outstanding debt or other obligations payable wholly or partly from
4 district sales and use tax revenue, Section 321.102(g), Tax Code,
5 applies to the district.

6 (c) If at the time of annexation the district does not have
7 outstanding debt or other obligations payable wholly or partly from
8 district sales and use tax revenue, the district may:

9 (1) exclude the annexed territory from the district,
10 if the district has no outstanding debt or other obligations
11 payable from any source; or

12 (2) reduce the sales and use tax in the annexed
13 territory by resolution or order of the board to a rate that, when
14 added to the sales and use tax rate imposed by the municipality in
15 the annexed territory, is equal to the sales and use tax rate
16 imposed by the district in the district territory that was not
17 annexed by the municipality.

18 Sec. 3975.0605. NOTIFICATION OF RATE CHANGE. The board
19 shall notify the comptroller of any changes made to the tax rate
20 under this subchapter in the same manner the municipal secretary
21 provides notice to the comptroller under Section 321.405(b), Tax
22 Code.

23 Sec. 3975.0606. USE OF REVENUE. Revenue from the sales and
24 use tax imposed under this subchapter is for the use and benefit of
25 the district and may be used for any district purpose. The district
26 may pledge all or part of the revenue to the payment of bonds,
27 notes, or other obligations, and that pledge of revenue may be in

1 combination with other revenue, including tax revenue, available to
2 the district.

3 Sec. 3975.0607. ABOLITION OF TAX. (a) Except as provided
4 by Subsection (b), the board may abolish the tax imposed under this
5 subchapter without an election.

6 (b) The board may not abolish the tax imposed under this
7 subchapter if the district has outstanding debt secured by the tax,
8 and repayment of the debt would be impaired by the abolition of the
9 tax.

10 (c) If the board abolishes the tax, the board shall notify
11 the comptroller of that action in the same manner the municipal
12 secretary provides notice to the comptroller under Section
13 321.405(b), Tax Code.

14 (d) If the board abolishes the tax or decreases the tax rate
15 to zero, a new election to authorize a sales and use tax must be held
16 under Section 3975.0602 before the district may subsequently impose
17 the tax.

18 (e) This section does not apply to a decrease in the sales
19 and use tax authorized under Section 3975.0604(c)(2).

20 SUBCHAPTER I. DISSOLUTION

21 Sec. 3975.0901. DISSOLUTION. (a) The board shall dissolve
22 the district on written petition filed with the board by the owners
23 of:

24 (1) 66 percent or more of the assessed value of the
25 property subject to assessment by the district based on the most
26 recent certified county property tax rolls; or

27 (2) 66 percent or more of the surface area of the

1 district, excluding roads, streets, highways, utility
2 rights-of-way, other public areas, and other property exempt from
3 assessment by the district according to the most recent certified
4 county property tax rolls.

5 (b) The board by majority vote may dissolve the district at
6 any time.

7 (c) The district may not be dissolved by its board under
8 Subsection (a) or (b) if the district:

9 (1) has any outstanding bonded indebtedness until that
10 bonded indebtedness has been repaid or defeased in accordance with
11 the order or resolution authorizing the issuance of the bonds;

12 (2) has a contractual obligation to pay money until
13 that obligation has been fully paid in accordance with the
14 contract; or

15 (3) owns, operates, or maintains public works,
16 facilities, or improvements unless the district contracts with
17 another person for the ownership, operation, or maintenance of the
18 public works, facilities, or improvements.

19 (d) Sections 375.261, 375.262, and 375.264, Local
20 Government Code, do not apply to the district.

21 SECTION 2. The Richfield Ranch Management District of
22 Harris County, Texas, initially includes all the territory
23 contained in the following area:

24 Being a 296.69 acre tract of land located within the John W.
25 Baker Survey, A-116, the Edward Goodsir Survey, A-285, and the
26 H.T.&B.R.R. Co. Survey, A-402, all in Harris County, Texas; said
27 296.69 acre tract being a part of a call 2523.670 acre tract of land

1 recorded in Clerk's File Number U036618 of the Official Public
2 Records of Real Property of Harris County (O.P.R.R.P.H.C); said
3 296.69 acre tract being more particularly described by metes and
4 bounds as follows (all bearings are referenced to the south line of
5 said 2523.670 acre tract):

6 Beginning at a 3/4-inch iron rod found at an interior corner
7 of said 2523.670 acre tract and the northeast corner of a call 3.220
8 acre tract of land recorded in Volume 6368, Page 357 of the Harris
9 County Deed Records (H.C.D.R.), and being on the south Right-of-Way
10 (R.O.W.) line of the Union Pacific Railroad (100 feet wide)
11 recorded in Volume 964, Page 88 of the H.C.D.R.;

12 1. Thence with common line of said 2523.670 acre tract and
13 said Union Pacific Railroad, South 68 degrees 09 minutes 04 seconds
14 East, a distance of 3,468.29 feet to the west R.O.W. line of State
15 Highway 99 (Grand Parkway) recorded in Clerk's File Number
16 20120310531 of the O.P.R.R.P.H.C.;

17 Thence, with said west R.O.W. line, the following thirteen
18 (13) courses

19 2. South 03 degrees 24 minutes 19 seconds East, a distance
20 of 389.11 feet;

21 3. South 14 degrees 45 minutes 04 seconds East, a distance
22 of 620.00 feet;

23 4. South 02 degrees 04 minutes 37 seconds East, a distance
24 of 182.04 feet;

25 5. 843.74 feet along the arc of a curve to the right, said
26 curve having a central angle of 04 degrees 17 minutes 37 seconds, a
27 radius of 11,259.16 feet and a chord that bears South 00 degrees 04

1 minutes 11 seconds West, a distance of 843.54 feet;

2 6. South 02 degrees 12 minutes 59 seconds West, a distance
3 of 74.10 feet;

4 7. South 47 degrees 12 minutes 59 seconds West, a distance
5 of 49.50 feet;

6 8. South 02 degrees 12 minutes 59 seconds West, a distance
7 of 100.00 feet;

8 9. South 42 degrees 47 minutes 01 seconds East, a distance
9 of 49.50 feet;

10 10. South 02 degrees 12 minutes 59 seconds West, a distance
11 of 1,486.42 feet;

12 11. 1,398.54 feet along the arc of a curve to the left, said
13 curve having a central angle of 03 degrees 27 minutes 58 seconds, a
14 radius of 23,118.32 feet and a chord that bears South 00 degrees 29
15 minutes 00 seconds West, a distance of 1,398.33 feet;

16 12. South 01 degrees 14 minutes 59 seconds East, a distance
17 of 1,972.40 feet;

18 13. South 43 degrees 22 minutes 43 seconds West, a distance
19 of 71.17 feet;

20 14. South 01 degrees 14 minutes 59 seconds East, a distance
21 of 70.13 feet to the common line of aforesaid 2523.670 acre tract
22 and a call 1158.2 acre tract recorded in Volume 3131, Page 393 of
23 the H.C.D.R.;

24 15. Thence, with said common line, South 88 degrees 00
25 minutes 19 seconds West, a distance of 1,250.11 feet;

26 Thence, through said 2523.670 acre tract, the following five
27 (5) courses:

1 16. North 01 degrees 14 minutes 59 seconds West, a distance
2 of 2,109.44 feet;

3 17. 1,477.19 feet along the arc of a curve to the right, said
4 curve having a central angle of 03 degrees 27 minutes 58 seconds, a
5 radius of 24,418.32 feet and a chord that bears North 00 degrees 29
6 minutes 00 seconds East, a distance of 1,476.96 feet;

7 18. North 02 degrees 12 minutes 59 seconds East, a distance
8 of 1,730.52 feet;

9 19. 1,014.11 feet along the arc of a curve to the left, said
10 curve having a central angle of 05 degrees 50 minutes 03 seconds, a
11 radius of 9,959.16 feet and a chord that bears North 00 degrees 42
12 minutes 03 seconds West, a distance of 1,013.67 feet;

13 20. North 68 degrees 09 minutes 04 seconds West, a distance
14 of 2,829.49 feet to the common line of said 2523.670 acre tract and
15 a call 523.376 acre tract of land recorded in Clerk's File Number
16 H793053 of the O.P.R.R.H.C.;

17 21. Thence, with said common line, North 02 degrees 09
18 minutes 14 seconds West, a distance of 157.88 feet;

19 22. Thence, through said 2523.670 acre tract, North 27
20 degrees 35 minutes 08 seconds East, at a distance of 306.42 feet
21 passing an interior corner of said 2523.670 acre tract and the south
22 corner of aforesaid 3.220 acre tract, in all, a total distance of
23 1161.59 feet to the Point of Beginning and containing 296.69 acres
24 of land.

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

1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

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

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

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

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