

House Bill 4661
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3982 to read as follows:
CHAPTER 3982. PLUM CREEK MANAGEMENT DISTRICT NO. 1 OF LIBERTY COUNTY
SUBCHAPTER A. GENERAL PROVISIONS
Sec. 3982.0101. DEFINITIONS. In this chapter:
(1) "Board" means the district's board of directors.
(2) "County" means Liberty County.
(3) "Director" means a board member.
(4) "District" means the Plum Creek Management District No. 1 of Liberty County.
Sec. 3982.0102. NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.
Sec. 3982.0103. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the county and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.
(b) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.
(c) This chapter and the creation of the district may not be interpreted to relieve the county from providing the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created

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to supplement and not to supplant county services provided in the district.

Sec. 3982.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

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

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

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

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

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

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

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for water, wastewater, drainage, road, transportation, and recreational facilities for the district.

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

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

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

Sec. 3982.0105. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

(2) right to issue any type of bonds for the purposes for which the district is created or to pay the principal of and interest on the bonds;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 3982.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code;

(3) an enterprise zone created under Chapter 2303, Government Code; or

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

Sec. 3982.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise

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provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3982.0108. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

Sec. 3982.0109. CONFLICTS OF LAW. This chapter prevails over any provision of general law, including a provision of Chapter 375, Local Government Code, or Chapter 49, Water Code, that is in conflict or inconsistent with this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3982.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors elected or appointed as provided by this chapter and Subchapter D, Chapter 49, Water Code.

(b) Except as provided by Section 3982.0204, directors serve staggered four-year terms.

Sec. 3982.0202. QUORUM. For purposes of determining the requirements for a quorum of the board, the following are not counted:

(1) a board position vacant for any reason, including death, resignation, or disqualification; or

(2) a director who is abstaining from participation in a vote because of a conflict of interest.

Sec. 3982.0203. COMPENSATION. A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.060, Water Code. Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 3982.0204. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Alison Henderson;

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(2) Emily Lewis;
(3) Vanessa Loftus;
(4) Courtney Lundquist; and
(5) Elizabeth Canfield.
(b) The temporary or successor temporary directors shall hold an election to elect five permanent directors as provided by Section 49.102, Water Code.
(c) Temporary directors serve until the earlier of:
(1) the date permanent directors are elected under Subsection (b); or
(2) the fourth anniversary of the effective date of the Act enacting this chapter.
(d) If permanent directors have not been elected under Subsection (b) and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (e) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Subsection (b); or
(2) the fourth anniversary of the date of the appointment or reappointment.
(e) If Subsection (d) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the Texas Commission on Environmental Quality requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.
SUBCHAPTER C. POWERS AND DUTIES

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Sec. 3982.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3982.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or under Chapter 375, Local Government Code.

(b) An improvement project described by Subsection (a) may be located inside or outside the district.

Sec. 3982.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may own, operate, maintain, design, acquire, construct, finance, issue bonds, notes, or other obligations for, improve, and convey to this state, a county, or a municipality for ownership, operation, and maintenance macadamized, graveled, or paved roads or improvements, including storm drainage, in aid of those roads.

Sec. 3982.0304. CONVEYANCE AND APPROVAL OF ROAD PROJECT. (a) The district may convey a road project authorized by Section 3982.0303 to:

- (1) a municipality or county that will operate and maintain the road if the municipality or county has approved the plans and specifications of the road project; or
- (2) the state if the state will operate and maintain the road and the Texas Transportation Commission has approved the plans and specifications of the road project.

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(b) Except as provided by Subsection (c), the district shall operate and maintain a road project authorized by Section 3982.0303 that the district implements and does not convey to a municipality, a county, or this state under Subsection (a).

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

Sec. 3982.0305. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3982.0306. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

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

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

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

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(b) Except as provided by Subsection (c), the district shall operate and maintain a road project authorized by Section 3982.0303 that the district implements and does not convey to a municipality, a county, or this state under Subsection (a).

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Sec. 3982.0307. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

(b) The implementation of a project is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec. 3982.0308. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county, to provide law enforcement services in the district.

Sec. 3982.0309. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 3982.0310. ECONOMIC DEVELOPMENT. (a) The district may engage in activities that accomplish the economic development purposes of the district.

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

- (1) make loans and grants of public money; and
- (2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to municipalities by:

- (1) Chapter 380, Local Government Code; and
- (2) Subchapter A, Chapter 1509, Government Code.

Sec. 3982.0311. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop,

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own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

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

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

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

Sec. 3982.0312. NO TOLL ROADS. The district may not construct, acquire, maintain, or operate a toll road.

Sec. 3982.0313. RAIL FACILITIES. The district may construct, acquire, improve, maintain, and operate rail facilities and improvements in aid of those facilities.

Sec. 3982.0314. RURAL PUBLIC TRANSPORTATION POWERS. (a) The district may provide and coordinate rural public transportation in its territory in the manner provided by Sections 458.010 and 458.011, Transportation Code, for a rural transit district.

(b) Section 458.012(a), Transportation Code, does not apply to the operations of the district under Subsection (a).

Sec. 3982.0315. ANNEXATION OR EXCLUSION OF LAND. (a) The district may annex land as provided by Subchapter J, Chapter 49, Water Code.

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

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own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

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

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

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

Sec. 3982.0311. NO TOLL ROADS. The district may not construct, acquire, maintain, or operate a toll road.

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Sec. 3982.0316. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

- (1) has no outstanding bonded debt; and
- (2) is not imposing ad valorem taxes.

(b) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may, at the time the new district is created, contain only:

(1) land within the area described by Section 2 of the Act enacting this chapter; or

(2) any land adjacent to the area described by Section 2 of the Act enacting this chapter if that adjacent land is:

(A) not within the extraterritorial jurisdiction of a municipality; or

(B) within the extraterritorial jurisdiction of a municipality and that adjacent land has been approved for inclusion in the district under an ordinance or resolution adopted by the municipality consenting to the inclusion.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 3982.0204 to elect the district's permanent directors.

(f) An order dividing the district must:

(1) name each new district;

(2) include the metes and bounds description of the territory of each new district;

(3) appoint temporary directors for each new district; and

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(4) provide for the division of assets and liabilities between or among the new districts.

(g) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(h) Any new district created by the division of the district shall hold a permanent directors' election as required by Section 3982.0204.

(i) Municipal consent by a municipality is not required for the creation of any new district created under this section.

(j) Any new district created by the division of the district must hold an election as required by this chapter to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes or sales and use taxes.

(k) If the voters of a new district do not confirm the creation of the new district, the assets, obligations, territory, and governance of the new district revert to that of the original district.

Sec. 3982.0317. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3982.0401. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 3982.0402. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service

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(4) provide for the division of assets and liabilities between or among the new districts.

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(h) Any new district created by the division of the district shall hold a permanent directors' election as required by Section 3982.0204.

(i) Municipal consent by a municipality is not required for the creation of any new district created under this section.

(j) Any new district created by the division of the district must hold an election as required by this chapter to obtain voter approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes or sales and use taxes.

(k) If the voters of a new district do not confirm the creation of the new district, the assets, obligations, territory, and governance of the new district revert to that of the original district.

Sec. 3982.0315. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3982.0401. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 3982.0402. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service

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authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district. Sec. 3982.0403. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 3982.0404. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

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

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

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

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

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the

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authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district. Sec. 3982.0403. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

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

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

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same manner that the board may enforce an ad valorem tax lien against real property.

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

Sec. 3982.0405. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to a tax authorized or approved by the voters of the district or a required payment for a service provided by the district, including water and sewer services.

Sec. 3982.0406. COMPETITIVE BIDDING. Subchapter I, Chapter 49, Water Code, applies to the district. Sections 375.221 and 375.223, Local Government Code, do not apply to the district.

Sec. 3982.0407. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of district taxes or assessments on property in the zones.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3982.0501. ELECTIONS REGARDING TAXES AND BONDS. (a) The district may issue, without an election, bonds, notes, and other obligations secured by:

(1) revenue other than ad valorem taxes or sales and use taxes; or

(2) contract payments described by Section 3982.0503.

(b) The district must hold an election in the manner provided by Subchapter L, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

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same manner that the board may enforce an ad valorem tax lien against real property.

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(2) contract payments described by Section 3982.0503.

(b) The district must hold an election in the manner provided by Subchapter L, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

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(c) Section 375.243, Local Government Code, does not apply to the district.

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

Sec. 3982.0502. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election held in accordance with Section 3982.0501, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code, for any district purpose, including to:

- (1) maintain and operate the district;
- (2) construct or acquire improvements; or
- (3) provide a service.

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

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

Sec. 3982.0503. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

Sec. 3982.0504. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

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(c) Section 375.243, Local Government Code, does not apply to the district.

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

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- (2) construct or acquire improvements; or
- (3) provide a service.

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

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

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

Sec. 3982.0504. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS.

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(a) The district may borrow money on terms determined by the board. Section 375.205, Local Government Code, does not apply to a loan, line of credit, or other borrowing from a bank or financial institution secured by revenue other than ad valorem taxes.

(b) The district may issue bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose. Sec. 3982.0505. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 3982.0506. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SUBCHAPTER F. SALES AND USE TAX

Sec. 3982.0601. APPLICABILITY OF CERTAIN TAX CODE PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition, computation, administration, enforcement, and collection of the sales and use tax authorized by this subchapter except to the extent Chapter 321, Tax Code, is inconsistent with this chapter.

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(a) The district may borrow money on terms determined by the board. Section 375.205, Local Government Code, does not apply to a loan, line of credit, or other borrowing from a bank or financial institution secured by revenue other than ad valorem taxes.

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

Sec. 3982.0602. ELECTION; ADOPTION OF TAX. (a) The district may adopt a sales and use tax if authorized by a majority of the voters of the district voting at an election held for that purpose.

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

(c) The ballot shall be printed to provide for voting for or against the proposition: "Authorization of a sales and use tax in the Plum Creek Management District No. 1 of Liberty County at a rate not to exceed _____ percent" (insert rate of one or more increments of one-eighth of one percent).

Sec. 3982.0603. SALES AND USE TAX RATE. (a) On or after the date the results are declared of an election held under Section 3982.0602, at which the voters approved imposition of the tax authorized by this subchapter, the board shall determine and adopt by resolution or order the initial rate of the tax, which must be in one or more increments of one-eighth of one percent.

(b) After the election held under Section 3982.0602, the board may increase or decrease the rate of the tax by one or more increments of one-eighth of one percent.

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

(1) the maximum rate authorized by the district voters at the election held under Section 3982.0602; or

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

Sec. 3982.0602. ELECTION; ADOPTION OF TAX. (a) The district may adopt a sales and use tax if authorized by a majority of the voters of the district voting at an election held for that purpose.

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

(c) The ballot shall be printed to provide for voting for or against the proposition: "Authorization of a sales and use tax in the Plum Creek Management District No. 1 of Liberty County at a rate not to exceed _____ percent" (insert rate of one or more increments of one-eighth of one percent).

Sec. 3982.0603. SALES AND USE TAX RATE. (a) On or after the date the results are declared of an election held under Section 3982.0602, at which the voters approved imposition of the tax authorized by this subchapter, the board shall determine and adopt by resolution or order the initial rate of the tax, which must be in one or more increments of one-eighth of one percent.

(b) After the election held under Section 3982.0602, the board may increase or decrease the rate of the tax by one or more increments of one-eighth of one percent.

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

(1) the maximum rate authorized by the district voters at the election held under Section 3982.0602; or

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

Sec. 3982.0604. TAX AFTER MUNICIPAL ANNEXATION. (a) This section applies to the district after a municipality annexes part of the territory in the district and imposes the municipality's sales and use tax in the annexed territory.

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

(c) If at the time of annexation the district does not have outstanding debt or other obligations payable wholly or partly from district sales and use tax revenue, the district may exclude the annexed territory from the district, if the district has no outstanding debt or other obligations payable from any source.

Sec. 3982.0605. NOTIFICATION OF RATE CHANGE. The board shall notify the comptroller of any changes made to the tax rate under this subchapter in the same manner the municipal secretary provides notice to the comptroller under Section 321.405(b), Tax Code.

Sec. 3982.0606. USE OF REVENUE. Revenue from the sales and use tax imposed under this subchapter is for the use and benefit of the district and may be used for any district purpose. The district may pledge all or part of the revenue to the payment of bonds, notes, or other obligations, and that pledge of revenue may be in combination with other revenue, including tax revenue, available to the district.

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

Sec. 3982.0604. TAX AFTER MUNICIPAL ANNEXATION. (a) This section applies to the district after a municipality annexes part of the territory in the district and imposes the municipality's sales and use tax in the annexed territory.

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

(c) If at the time of annexation the district does not have outstanding debt or other obligations payable wholly or partly from district sales and use tax revenue, the district may exclude the annexed territory from the district, if the district has no outstanding debt or other obligations payable from any source.

Sec. 3982.0605. NOTIFICATION OF RATE CHANGE. The board shall notify the comptroller of any changes made to the tax rate under this subchapter in the same manner the municipal secretary provides notice to the comptroller under Section 321.405(b), Tax Code.

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Sec. 3982.0607. ABOLITION OF TAX. (a) Except as provided by Subsection (b), the board may abolish the tax imposed under this subchapter without an election.

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

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

(d) If the board abolishes the tax or decreases the tax rate to zero, a new election to authorize a sales and use tax must be held under Section 3982.0602 before the district may subsequently impose the tax.

SUBCHAPTER G. DEFINED AREAS

Sec. 3982.0701. AUTHORITY TO ESTABLISH DEFINED AREAS OR DESIGNATED PROPERTY. The district may define areas or designate certain property of the district to pay for improvements, facilities, or services that primarily benefit that area or property and do not generally and directly benefit the district as a whole.

Sec. 3982.0702. PROCEDURE FOR ELECTION. (a) Before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes of the defined area or designated property, the board shall hold an election in the defined area or in the designated property only.

(b) The board may submit the issues to the voters on the same ballot to be used in another election.

Sec. 3982.0703. DECLARING RESULT AND ISSUING ORDER. (a) If a majority of the voters voting at the election approve the proposition or propositions, the board shall

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Sec. 3982.0607. ABOLITION OF TAX. (a) Except as provided by Subsection (b), the board may abolish the tax imposed under this subchapter without an election.

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

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

(d) If the board abolishes the tax or decreases the tax rate to zero, a new election to authorize a sales and use tax must be held under Section 3982.0602 before the district may subsequently impose the tax.

SUBCHAPTER G. DEFINED AREAS

Sec. 3982.0701. AUTHORITY TO ESTABLISH DEFINED AREAS OR DESIGNATED PROPERTY. The district may define areas or designate certain property of the district to pay for improvements, facilities, or services that primarily benefit that area or property and do not generally and directly benefit the district as a whole.

Sec. 3982.0702. PROCEDURE FOR ELECTION. (a) Before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes of the defined area or designated property, the board shall hold an election in the defined area or in the designated property only.

(b) The board may submit the issues to the voters on the same ballot to be used in another election.

Sec. 3982.0703. DECLARING RESULT AND ISSUING ORDER. (a) If a majority of the voters voting at the election approve the proposition or propositions, the board shall

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declare the results and, by order, shall establish the defined area and describe it by metes and bounds or designate the specific property.

(b) A court may not review the board's order except on the ground of fraud, palpable error, or arbitrary and confiscatory abuse of discretion.

Sec. 3982.0704. TAXES FOR SERVICES, IMPROVEMENTS, AND FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter approval and adoption of the order described by Section 3982.0703, the district may apply separately, differently, equitably, and specifically its taxing power and lien authority to the defined area or designated property to provide money to construct, administer, maintain, and operate services, improvements, and facilities that primarily benefit the defined area or designated property.

Sec. 3982.0705. ISSUANCE OF BONDS FOR DEFINED AREA OR DESIGNATED PROPERTY. After the order under Section 3982.0703 is adopted, the district may issue bonds to provide for any land, improvements, facilities, plants, equipment, and appliances for the defined area or designated property.

Sec. 3982.0706. ADDITION OR EXCLUSION OF LAND IN DEFINED AREA. The district may add or exclude land from the defined areas in the same manner the district may add or exclude land from the district.

SECTION 2. The Plum Creek Management District No. 1 of Liberty County initially includes all territory contained in the following area:

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declare the results and, by order, shall establish the defined area and describe it by metes and bounds or designate the specific property.

(b) A court may not review the board's order except on the ground of fraud, palpable error, or arbitrary and confiscatory abuse of discretion.

Sec. 3982.0704. TAXES FOR SERVICES, IMPROVEMENTS, AND FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter approval and adoption of the order described by Section 3982.0703, the district may apply separately, differently, equitably, and specifically its taxing power and lien authority to the defined area or designated property to provide money to construct, administer, maintain, and operate services, improvements, and facilities that primarily benefit the defined area or designated property.

Sec. 3982.0705. ISSUANCE OF BONDS FOR DEFINED AREA OR DESIGNATED PROPERTY. After the order under Section 3982.0703 is adopted, the district may issue bonds to provide for any land, improvements, facilities, plants, equipment, and appliances for the defined area or designated property.

Sec. 3982.0706. ADDITION OR EXCLUSION OF LAND IN DEFINED AREA. The district may add or exclude land from the defined areas in the same manner the district may add or exclude land from the district.

SECTION 2. Same as House version.

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Being 2,774.31 acres of land situated in the James T. Dunman Survey, Abstract 167, the Willis McWilkinson Survey, Abstract 318, the H.T. & B. R.R. Co. Survey, Section 15, Abstract, the H.T. & B. R.R. Co. Survey, Section 14-1/2 also known as the W.R. Searcy Survey, Abstract 792, the H.T. & B. R.R. Co. Survey, Section 13-1/2, Abstract 635, the W. McWilkinson Survey, Abstract 317, the Charles Smith Survey, Abstract 350, the B.B.B. & C. Survey, Abstract 152, the James Darwin Survey, Abstract 176, the William H.B. Witham Survey, Abstract 395 and the Edward King Survey, Abstract 56 of Liberty County, Texas; being part of a called 7,750.32 acre tract conveyed to HF Houston Green Land, L.P. by Special Warranty Deed recorded under Clerk's File No. 2006-008098 of the Liberty County Official Public Records of Real Property; said 2,774.31 acres being part of a called 8,673.34 acre tract described in Certificate for Order Adding Land and Redefining Boundaries, document of which is recorded in Clerk's File No. 2009-115395 of the Montgomery County Official Public Records of Real Property and in Clerk's File No. 2009018027 of the Official Public Records of Liberty County, Texas; said 2,774.31 acres being comprised of three separate tracts, and more particularly described by the following metes and bounds, with all bearings being based on the calls of said 8,673.34 acre tract;

Tract 1 - 1,578.64 Acres

COMMENCING at the most northerly northwest corner of a called 1,122.98 acre parcel conveyed to HF Houston Green Land, L.P. by Special Warranty Deed recorded under Clerk's File No. 2006-119940 of the Montgomery County Official Public Records of Real Property, same being the most northerly northwest corner of said 8,673.34 acre parcel;

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THENCE, North 87 degrees 33 minutes 40 seconds East, 451.90 feet along a northerly line of said 1,122.98 acre tract to an angle point in the northerly line of said 1,122.98 acre parcel;

THENCE, North 87 degrees 05 minutes 50 seconds East, 2613.76 feet along a northerly line of said 1,122.98 acre tract, to an angle point in the northerly line of said 1,122.98 acre parcel;

THENCE, North 87 degrees 09 minutes 40 seconds East, 399.30 feet along the north line of said 1,122.98 acre parcel and continuing along the north line of said 7,550.32 acre tract to a point for the northwest corner of a called 4,394.368 acre tract described in Special Warranty Deed recorded in Clerk's File No. 2016013974 of the Official Public Records of Liberty County, Texas;

THENCE, along the common line of the remainder of said 7,550.32 acre parcel and said adjoining 4,394.368 acre parcel, the following nine (9) courses and distances:

1. South 05 degrees 07 minutes 37 seconds East, a distance of 85.52 feet to an angle point;
2. South 06 degrees 55 minutes 52 seconds East, a distance of 1,062.76 feet to an angle point;
3. South 16 degrees 56 minutes 21 seconds East, a distance of 421.03 feet to an angle point;
4. South 25 degrees 57 minutes 46 seconds East, a distance of 451.32 feet to a point, beginning a curve to the right;
5. With said curve to the right, having a central angle of 43 degrees 59 minutes 15 seconds, an arc length of 383.86 feet, a radius of 500.00 feet, and a chord bearing South 03 degrees 58 minutes 09 seconds East, 374.51 feet to a point;
6. South 18 degrees 01 minute 29 seconds West, a distance of 800.07 feet;

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7. South 20 degrees 09 minutes 01 second East, a distance of 1,051.41 feet to the POINT OF BEGINNING and northwest corner of the herein described parcel, same being the westerly southwest corner of said adjoining 4,394.368 acre parcel;

8. South 77 degrees 48 Minutes 38 seconds East, a distance of 12,787.72 feet to a point for the northeast corner of the herein described tract;

9. South 10 degrees 28 minutes 05 seconds East, a distance of 6,647.77 feet to a point for the southeast corner of the herein described parcel and the remainder of said 7,550.32 acre parcel, same being the southwest corner of said adjoining 4,394.368 acre parcel;

THENCE, South 87 degrees 49 minutes 10 seconds West along the south line of the herein described parcel and said 7,550.32 acre parcel, a distance of 2,580.31 feet to an angle point on said line;

THENCE, South 87 degrees 28 minutes 44 seconds West continuing along the south line of the herein described parcel and said 7,550.32 acre parcel, a distance of 2,049.32 feet to a point for the lower southwest corner of the herein described parcel, being a point on the extraterritorial jurisdiction line of the City of Houston, said extraterritorial jurisdiction line being at this location an arc with a radius of 26,400 feet measured from a point on the west line of the John R. Rhea Survey, Abstract 62 of Harris County, located a distance of 2,500 feet north of the southwest corner of said John R. Rhea Survey, as described in City of Houston Ordinance No. 65-1905-A passed December 31, 1965 (Area No. 9), beginning a curve to the left;

THENCE, with said curve to the left in said extraterritorial jurisdiction line, having a central angle of 05 degrees 16

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minutes 12 seconds, an arc length of 2,428.19 feet, a radius of 26,400.00 feet, and a chord bearing North 69 degrees 04 minutes 40 seconds West, 2,427.33 feet to a point for corner in a west line of said 7,550.32 acre parcel;
THENCE, North 02 degrees 50 minutes 12 seconds West along the lower west line of the herein described parcel and said 7,550.32 acre parcel, a distance of 2,539.52 feet to an angle point on said line;
THENCE, North 02 degrees 38 minutes 21 seconds West continuing along the lower west line of the herein described parcel and said 7,550.32 acre parcel, a distance of 1,209.38 feet to a reentry point of the herein described parcel;
THENCE, South 87 degrees 44 minutes 33 seconds West along a southerly line of the herein described parcel and said 7,550.32 acre parcel, a distance of 4,800.59 feet to a point for corner on the common line of Liberty County and Harris County, as described on a map titled "A Resurvey of the Liberty-Montgomery, Liberty Harris and Montgomery-Harris County Lines" filed for record in Volume 7, Page 341 of the Montgomery County Deed Records;
THENCE, North 20 degrees 09 minutes 01 seconds West along said common County Line, a distance of 5,329.52 feet to the POINT OF BEGINNING, CONTAINING 1,578.64 acres of land, more or less.
Tract 2 - 138.36 Acres
COMMENCING at the most northerly northwest corner of said 1,122.98 acre parcel, same being the most northerly northwest corner of said 8,673.34 acre parcel;
THENCE, South 71 degrees 45 minutes 13 seconds East, a distance of 33,168.33 feet to a point for the southeast corner and POINT OF BEGINNING of the herein described parcel,

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said point also being the easternmost southeast corner of a said 7,550.32 acre parcel;

THENCE, South 87 degrees 51 minutes 07 seconds West along the lower south line of the herein described parcel, same being the easternmost upper south line of said 7,550.32 acre parcel, a distance of 2,339.90 feet to a point for the lower southwest corner of the herein described tract and the easternmost southwest corner of said 7,550.32 acre parcel;

THENCE, North 01 degree 59 minutes 09 seconds West along the west line of the herein described parcel, same being the easternmost west line of said 7,550.32, a distance of 1,325.35 feet to a point for reentry corner of the herein described tract;

THENCE, North 77 degrees 54 minutes 20 seconds West along the upper south line of the herein described tract, same being a southerly line of said 7,550.32 acre parcel, a distance of 219.24 feet to an angle point on said line;

THENCE, North 83 degrees 12 minutes 30 seconds West continuing along the upper south line of the herein described tract and said southerly line of said 7,550.32 acre parcel, a distance of 422.76 feet to a point in the northerly high bank of Luce Bayou, for the upper southwest corner of the herein described parcel, said point also being in the southeast line of the aforementioned adjoining 4,394.368 acre parcel;

THENCE, along the northerly bank of Luce Bayou, being the northwest line of the herein described parcel, same being the southeast line of said adjoining 4,394.368 acre parcel to points at the following twenty three (23) courses and distances:

1. North 29 degrees 13 minutes 18 seconds East, a distance of 288.16 feet;

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2. North 22 degrees 54 minutes 55 seconds West, a distance of 25.58 feet;
3. North 44 degrees 22 minutes 41 seconds West, a distance of 219.92 feet;
4. North 40 degrees 51 minutes 59 seconds East, a distance of 265.77 feet;
5. North 60 degrees 15 minutes 23 seconds East, a distance of 589.74 feet;
6. North 76 degrees 20 minutes 59 seconds East, a distance of 207.09 feet;
7. South 62 degrees 58 minutes 05 seconds East, a distance of 263.50 feet;
8. South 85 degrees 04 minutes 58 seconds East, a distance of 129.39 feet;
9. North 39 degrees 15 minutes 32 seconds East, a distance of 269.90 feet;
10. South 44 degrees 12 minutes 23 seconds East, a distance of 367.63 feet;
11. North 77 degrees 18 minutes 00 seconds East, a distance of 128.41 feet;
12. South 15 degrees 35 minutes 40 seconds West, a distance of 42.57 feet;
13. North 57 degrees 07 minutes 53 seconds East, a distance of 157.37 feet;
14. South 62 degrees 07 minutes 28 seconds East, a distance of 105.88 feet;
15. South 86 degrees 07 minutes 23 seconds East, a distance of 56.96 feet;
16. North 08 degrees 28 minutes 03 seconds East, a distance of 165.00 feet;
17. North 15 degrees 57 minutes 33 seconds East, a distance of 180.33 feet;

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18. North 81 degrees 29 minutes 31 seconds East, a distance of 92.83 feet;
19. South 66 degrees 31 minutes 19 seconds East, a distance of 305.88 feet;
20. North 71 degrees 59 minutes 48 seconds East, a distance of 90.95 feet;
21. North 15 degrees 03 minutes 20 seconds East, a distance of 283.46 feet;
22. North 38 degrees 50 minutes 41 seconds East, a distance of 262.89 feet;
23. South 78 degrees 51 minutes 42 seconds East, a distance of 94.27 feet to a point for the northeast corner of the herein described parcel, being the easternmost northeast corner of the remainder of said 7,550.32 acre parcel, and also being the southeast corner of the aforementioned adjoining 4,394.368 acre parcel;
THENCE, South 02 degrees 04 minutes 15 seconds East along the east line of the herein parcel, same being the east line of said 7,550.32 acre parcel, a distance of 2,860.01 feet to the POINT OF BEGINNING, CONTAINING 138.36 acres of land, more or less.
Tract 3 - 1,057.31 Acres
COMMENCING at the most northerly northwest corner of said 1,122.98 acre parcel, same being the most northerly northwest corner of said 8,673.34 acre parcel;
THENCE, South 52 degrees 20 minutes 22 seconds East, a distance of 32,311.35 feet to a point for the lower southeast corner and POINT OF BEGINNING of the herein described parcel, said point also being the southernmost southeast corner of said 7,550.32 acre parcel;
THENCE, South 87 degrees 56 minutes 51 seconds West along the south line of the herein described parcel, being the

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lower south line of said 7,550.32 acre parcel, a distance of 3,371.57 feet to a point for the lower southwest corner of the herein described parcel, being a point on the extraterritorial jurisdiction line of the City of Houston, said extraterritorial jurisdiction line being at this location an arc with a radius of 26,400 feet measured from a point on the west line of the John R. Rhea Survey, Abstract 62 of Harris County, said point located a distance of 2,500 feet north of the southwest corner of said John R. Rhea Survey, as described in City of Houston Ordinance No. 65-1905-A passed December 31, 1965 (Area No. 9), beginning a curve to the left;

THENCE, with said curve to the left in said extraterritorial jurisdiction line, having a central angle of 06 degrees 17 minutes 49 seconds, an arc length of 2,901.41 feet, a radius of 26,400.00 feet, and a chord bearing North 45 degrees 08 minutes 20 seconds West, 2,289.95 feet to a point for corner in a west line of said 7,550.32 acre parcel;

THENCE, North 01 degree 25 minutes 03 seconds West continuing along the west line of the herein described parcel and the lower west line of said 7,550.32 acre parcel, a distance of 4,042.73 feet to a point in the northerly high bank of Luce Bayou for the northwest corner of the herein described parcel, said point being the lower northwest corner of the remainder of said 7,550.32 acre parcel, and also being the south corner of the aforementioned adjoining 4,394.368 acre parcel;

THENCE, along the northerly bank of Luce Bayou, being the northwest line of the herein described parcel and the lower northwest line of the remainder of said 7,550.32 acre parcel, same being the southeast line of said adjoining 4,394.368 acre parcel to points at the following sixty (60) courses and distances:

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1. North 61 degrees 21 minutes 26 seconds East, a distance of 55.62 feet;
2. North 50 degrees 37 minutes 28 seconds East, a distance of 91.94 feet;
3. North 35 degrees 59 minutes 28 seconds East, a distance of 90.11 feet;
4. North 81 degrees 37 minutes 54 seconds East, a distance of 99.10 feet;
5. North 57 degrees 51 minutes 37 seconds East, a distance of 158.16 feet;
6. South 56 degrees 59 minutes 24 seconds East, a distance of 107.50 feet;
7. South 36 degrees 14 minutes 37 seconds East, a distance of 159.52 feet;
8. North 54 degrees 34 minutes 28 seconds East, a distance of 191.37 feet;
9. South 77 degrees 54 minutes 48 seconds East, a distance of 173.87 feet;
10. North 54 degrees 26 minutes 02 seconds East, a distance of 146.38 feet;
11. North 62 degrees 41 minutes 22 seconds East, a distance of 232.93 feet;
12. South 19 degrees 51 minutes 51 seconds East, a distance of 112.24 feet;
13. North 82 degrees 24 minutes 12 seconds East, a distance of 94.78 feet;
14. North 51 degrees 03 minutes 36 seconds East, a distance of 200.86 feet;
15. North 66 degrees 08 minutes 09 seconds East, a distance of 169.04 feet;
16. South 62 degrees 28 minutes 14 seconds East, a distance of 153.91 feet;

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17. North 38 degrees 34 minutes 21 seconds East, a distance of 106.95 feet;
18. North 02 degrees 48 minutes 55 seconds East, a distance of 326.69 feet;
19. South 45 degrees 23 minutes 50 seconds East, a distance of 219.28 feet;
20. North 24 degrees 43 minutes 53 seconds East, a distance of 142.40 feet;
21. North 62 degrees 19 minutes 52 seconds East, a distance of 252.61 feet;
22. North 34 degrees 38 minutes 47 seconds East, a distance of 226.60 feet;
23. North 42 degrees 20 minutes 23 seconds East, a distance of 357.69 feet;
24. North 81 degrees 41 minutes 35 seconds East, a distance of 167.94 feet;
25. North 32 degrees 37 minutes 57 seconds East, a distance of 401.87 feet;
26. North 62 degrees 21 minutes 03 seconds East, a distance of 139.87 feet;
27. South 52 degrees 41 minutes 51 seconds East, a distance of 149.90 feet;
28. North 07 degrees 49 minutes 17 seconds East, a distance of 138.14 feet;
29. North 11 degrees 25 minutes 11 seconds West, a distance of 282.21 feet;
30. North 80 degrees 25 minutes 55 seconds East, a distance of 195.83 feet;
31. North 57 degrees 50 minutes 39 seconds East, a distance of 119.95 feet;
32. North 18 degrees 31 minutes 30 seconds East, a distance of 202.53 feet;

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33. North 41 degrees 32 minutes 27 seconds East, a distance of 107.50 feet;
34. South 80 degrees 31 minutes 33 seconds East, a distance of 185.98 feet;
35. South 03 degrees 41 minutes 25 seconds West, a distance of 146.64 feet;
36. South 31 degrees 39 minutes 32 seconds East, a distance of 47.04 feet;
37. North 80 degrees 27 minutes 52 seconds East, a distance of 49.59 feet;
38. North 52 degrees 41 minutes 31 seconds East, a distance of 204.57 feet;
39. North 43 degrees 52 minutes 42 seconds East, a distance of 154.18 feet;
40. North 78 degrees 29 minutes 58 seconds East, a distance of 229.58 feet;
41. South 38 degrees 31 minutes 15 seconds East, a distance of 139.79 feet;
42. South 78 degrees 40 minutes 34 seconds East, a distance of 165.26 feet;
43. North 18 degrees 05 minutes 01 second West, a distance of 120.75 feet;
44. North 45 degrees 34 minutes 26 seconds East, a distance of 292.64 feet;
45. North 24 degrees 08 minutes 01 second East, a distance of 235.02 feet;
46. North 61 degrees 06 minutes 54 seconds East, a distance of 124.69 feet;
47. North 27 degrees 51 minutes 51 seconds East, a distance of 181.98 feet;
48. North 47 degrees 04 minutes 47 seconds East, a distance of 801.66 feet;

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49. South 01 degree 26 minutes 20 seconds East, a distance of 179.11 feet;
50. South 07 degrees 16 minutes 18 seconds East, a distance of 40.74 feet;
51. North 44 degrees 46 minutes 28 seconds East, a distance of 505.22 feet;
52. North 59 degrees 29 minutes 52 seconds East, a distance of 639.36 feet;
53. North 70 degrees 16 minutes 34 seconds East, a distance of 631.52 feet;
54. South 26 degrees 38 minutes 58 seconds West, a distance of 119.89 feet;
55. South 46 degrees 41 minutes 57 seconds East, a distance of 275.51 feet;
56. North 29 degrees 00 minutes 30 seconds East, a distance of 443.82 feet;
57. North 54 degrees 58 minutes 07 seconds East, a distance of 189.36 feet;
58. South 63 degrees 53 minutes 28 seconds East, a distance of 100.65 feet;
59. South 23 degrees 10 minutes 28 seconds East, a distance of 213.82 feet;
60. North 65 degrees 05 minutes 26 seconds East, a distance of 76.57 feet to a point for the northeast corner of the herein described parcel, being the southernmost northeast corner of said 7,550.32 acre parcel, and being in an eastern line of the aforementioned adjoining 4,394.368 acre parcel;
THENCE, South 02 degrees 42 minutes 29 seconds East along the upper east line of the herein described parcel, being an east line of said 7,550.32 acre parcel, a distance of 3,277.76 feet to a point for the upper southeast corner of the

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herein described parcel, being a southeast corner of said 7,220.32 acre parcel;

THENCE, South 87 degrees 37 minutes 48 seconds West along the upper south line of the herein described parcel, being a south line of said 7,550.32 acre parcel, a distance of 2,884.02 feet to a point for reentry corner of the herein described parcel and said 7,550.32 acre parcel;

THENCE, South 02 degrees 20 minutes 58 seconds East along the lower east line of the herein described parcel, being the southernmost east line of said 7,550.32 acre parcel, a distance of 5,376.03 feet to an angle point on said line;

THENCE, South 00 degrees 27 minutes 55 seconds West continuing along the lower east line of the herein described parcel and the southernmost east line of said 7,550.32 acre parcel, a distance of 1,540.65 feet to the POINT OF BEGINNING, CONTAINING 1,057.31 acres of land, for a total of 2,774.31 acres in Liberty County, Texas as shown on drawing No. 12934 in the offices of Jones & Carter, Inc., Bellaire, Texas.

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

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

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SECTION 3. Same as House version.

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

(d) The general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with.

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

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

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SECTION 4. Same as House version.

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