87R24279 CXP-D

By:  Sherman, Sr. H.B. No. 4653

Substitute the following for H.B. No. 4653:

By:  Bernal C.S.H.B. No. 4653

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Lancaster Logistics District; 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 3907 to read as follows:

CHAPTER 3907. LANCASTER LOGISTICS DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3907.0101.  DEFINITIONS. In this chapter:

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

(2)  "City" means the City of Lancaster, Texas.

(3)  "County" means Dallas County, Texas.

(4)  "Director" means a board member.

(5)  "District" means the Lancaster Logistics District.

Sec. 3907.0102.  NATURE OF DISTRICT. The Lancaster Logistics District is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3907.0103.  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 city, 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 city or 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 to supplement and not to supplant city or county services provided in the district.

Sec. 3907.0104.  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 district is created to accomplish the purposes of a municipal management district and a county development district as provided by general law and Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

(d)  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.

(e)  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; and

(3)  promote the health, safety, welfare, and enjoyment of the public by:

(A)  improving, landscaping, and developing certain areas in or adjacent to the district; and

(B)  providing public services and facilities in or adjacent to the district that are necessary for the restoration, preservation, and enhancement of scenic beauty.

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

Sec. 3907.0105.  DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 2 of the Act enacting this chapter.

(b)  The boundaries and field notes of the district 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 borrow money or issue any type of bonds or other obligations described by this chapter for a purpose for which the district is created or to pay the principal of and interest on the bonds or other obligations;

(3)  right to impose or collect an assessment or collect other revenue;

(4)  legality or operation; or

(5)  right to contract.

Sec. 3907.0106.  ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. (a) 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.

(b)  If the city or county creates a tax increment reinvestment zone described by Subsection (a), the city or county and the board of directors of the zone, by contract with the district, may grant money deposited in the tax increment fund to the district to be used by the district for:

(1)  the purposes permitted for money granted to a corporation under Section 380.001(a), Local Government Code;

(2)  any other district purpose, including the right to pledge the money as security for any bonds or other obligations issued by the district under this chapter; and

(3)  funding services provided by the city to the area in the district.

Sec. 3907.0107.  APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3907.0108.  CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3907.0201.  GOVERNING BODY; TERMS. (a) The district is governed by a board of seven directors.

(b)  Directors serve staggered four-year terms, with three or four directors' terms expiring June 1 of each odd-numbered year.

Sec. 3907.0202.  APPOINTMENT OF VOTING DIRECTORS. (a) The mayor and other members of the governing body of the city shall appoint as voting directors seven persons holding the following positions:

(1)  the mayor of the city;

(2)  two members of the city's city council;

(3)  the city's city manager;

(4)  the city's finance director;

(5)  the city's economic development director; and

(6)  director of a Type B economic development corporation authorized by the city.

(b)  A person is appointed if a majority of the members of the governing body, including the mayor, vote to appoint that person.

(c)  Notwithstanding Section 3907.0201, if a person discontinues serving in a position described by Subsection (a) before the expiration of the person's term, the person's term expires immediately and the mayor and other members of the governing body of the city shall appoint a replacement in accordance with that subsection.

Sec. 3907.0203.  NONVOTING DIRECTORS. The board may appoint nonvoting directors to serve at the pleasure of the voting directors.

Sec. 3907.0204.  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;

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

(3)  a nonvoting director.

Sec. 3907.0205.  COMPENSATION. A director is not entitled to receive fees of office.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3907.0301.  GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3907.0302.  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. 3907.0303.  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.

Sec. 3907.0304.  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. 3907.0305.  LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the city or county, to provide law enforcement services in the district for a fee.

Sec. 3907.0306.  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. 3907.0307.  ECONOMIC DEVELOPMENT PROGRAMS. (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. 3907.0308.  NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

Sec. 3907.0309.  PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, 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. 3907.0310.  CONSERVATION AND RECLAMATION DISTRICT POWERS. The district has the powers provided by the general laws relating to conservation and reclamation districts created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 54, Water Code.

Sec. 3907.0311.  ROAD DISTRICT POWERS. The district has the powers provided by the general laws relating to road districts and road utility districts created under Section 52(b), Article III, Texas Constitution, including Chapter 441, Transportation Code.

Sec. 3907.0312.  PUBLIC IMPROVEMENT DISTRICT POWERS. The district has the powers provided by Chapter 372, Local Government Code, to a municipality or county.

Sec. 3907.0313.  CONTRACT POWERS. The district may contract with a governmental or private entity, on terms determined by the board, to carry out a power or duty authorized by this chapter or to accomplish a purpose for which the district is created.

Sec. 3907.0314.  MUNICIPAL DEVELOPMENT DISTRICT POWERS. The district may exercise the powers given to a municipal development district under Chapter 377, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project described by that chapter.

SUBCHAPTER D. IMPROVEMENT PROJECTS AND SERVICES

Sec. 3907.0401.  IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service, including tourism and visitor facilities, using any money available to the district, or contract with a governmental or private entity and reimburse that entity for the provision, design, construction, acquisition, improvement, relocation, operation, maintenance, or financing of an improvement project, service, or cost, for the provision of credit enhancement, or for any cost of operating or maintaining the district or the issuance of district obligations authorized under this chapter, Chapter 372, 375, or 377, Local Government Code, or Chapter 49 or 54, Water Code.

Sec. 3907.0402.  LOCATION OF IMPROVEMENT PROJECT. An improvement project may be inside or outside the district.

Sec. 3907.0403.  IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE AREAS. The district may undertake an improvement project or service that confers a special benefit on one or more definable areas in the district that share a common characteristic or use and levy and collect a special assessment on benefited property in the district in accordance with:

(1)  Chapter 372, Local Government Code; or

(2)  Chapter 375, Local Government Code.

SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3907.0501.  MONEY USED FOR IMPROVEMENTS, SERVICES, OR OTHER EXPENSES. (a) The district may undertake and provide an improvement project or service authorized by this chapter using any money available to the district.

(b)  The district may provide or secure the payment or repayment of any cost or expense related to the establishment, administration, and operation of the district and the district's costs or share of the costs of a district contractual obligation or debt through:

(1)  a lease, installment purchase contract, or other agreement with any person; or

(2)  the imposition of taxes, user fees, concessions, rentals, or other revenue or resources of the district.

Sec. 3907.0502.  BORROWING MONEY; OBLIGATIONS. (a) The district may borrow money for a district purpose, including the acquisition or construction of improvement projects authorized by this chapter and the reimbursement of a person who develops or owns an improvement project authorized by this chapter, without holding an election by issuing bonds, notes, time warrants, credit agreements, or other obligations, or by entering into a contract or other agreement payable wholly or partly from an assessment, a contract payment, a grant, revenue from a zone created under Chapter 311 or 312, Tax Code, sales and use taxes, other district revenue, or a combination of these sources.

(b)  An obligation described by Subsection (a):

(1)  may bear interest at a rate determined by the board; and

(2)  may include a term or condition as determined by the board.

Sec. 3907.0503.  ASSESSMENTS. (a) The district may impose an assessment on property in the district, regardless of whether the property is contiguous, to pay for an obligation described by Section 3907.0502 or for an improvement project authorized under Section 3907.0401 in the manner provided for:

(1)  a district under Subchapter A, E, or F, Chapter 375, Local Government Code; or

(2)  a municipality or county under Subchapter A, Chapter 372, Local Government Code.

(b)  The district may not impose an assessment on a municipality, county, or other political subdivision.

Sec. 3907.0504.  RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to the district.

Sec. 3907.0505.  IMPACT FEES; EXEMPTION. (a) The district may impose an impact fee on property in the district, including an impact fee on residential property, according to the benefit received by the property.

(b)  An impact fee for residential property must be for the limited purpose of providing capital funding for:

(1)  public water and wastewater facilities;

(2)  drainage and storm water facilities; and

(3)  streets and alleys.

(c)  The district may not impose an impact fee on the property, including equipment and facilities, of a public utility provider or a cable operator as defined by 47 U.S.C. Section 522.

Sec. 3907.0506.  RATES, FEES, AND CHARGES. The district may establish, revise, repeal, enforce, and collect rates, fees, and charges for the enjoyment, sale, rental, or other use of:

(1)  an improvement project;

(2)  a product resulting from an improvement project; or

(3)  another district facility, service, or property.

Sec. 3907.0507.  PUBLIC SERVICE USER CHARGES. (a) The district may establish user charges related to various public services, including:

(1)  the collection and treatment of wastewater;

(2)  the operation of storm water facilities, including the regulation of storm water for the protection of water quality in the district; or

(3)  the provision of septic tank maintenance services inside and outside the district.

(b)  The district may establish a user charge for the provision of road improvements to be charged only to vehicles other than passenger cars as that term is defined by Section 541.201, Transportation Code.

Sec. 3907.0508.  COSTS FOR IMPROVEMENT PROJECTS. The district may undertake separately or jointly with other persons all or part of the cost of an improvement project, including an improvement project:

(1)  for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement in or adjacent to the district;

(2)  for improving, enhancing, providing, or supporting tourism, recreation, housing, the arts, entertainment, or economic development; or

(3)  that confers a general benefit on the entire district or a special benefit on a definable part of the district.

Sec. 3907.0509.  TAX ABATEMENT. The district may enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to a tax abatement agreement by a municipality.

SUBCHAPTER F. TAXES AND BONDS

Sec. 3907.0601.  CONSENT OF CITY REQUIRED. The district may not issue a bond until the city by ordinance or resolution has consented to the issuance of the bond.

Sec. 3907.0602.  ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by assessments, contract payments, sales and use taxes, or any other revenue from any source other than ad valorem taxes.

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

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

Sec. 3907.0603.  OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election held under Section 3907.0602, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

(c)  Notwithstanding Subsection (a), Section 49.107(f), Water Code, does not apply to the district.

Sec. 3907.0604.  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. 3907.0605.  TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

(1)  the board shall impose 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; and

(2)  the district annually shall impose an ad valorem tax on all taxable property in the district in an amount sufficient to:

(A)  pay the interest on the bonds or other obligations as the interest becomes due;

(B)  create a sinking fund for the payment of the principal of the bonds or other obligations when due or the redemption price at any earlier required redemption date; and

(C)  pay the expenses of imposing the taxes.

SUBCHAPTER G. SALES AND USE TAX

Sec. 3907.0701.  MEANINGS OF WORDS AND PHRASES. A word or phrase used in this subchapter that is defined by Chapter 151 or 321, Tax Code, has the meaning assigned by Chapter 151 or 321, Tax Code, except to the extent inconsistent with Section 3907.0702(c).

Sec. 3907.0702.  APPLICABILITY OF CERTAIN TAX CODE PROVISIONS. (a) The provisions of Subchapters C, D, E, and F, Chapter 321, Tax Code, relating to municipal sales and use taxes apply to the application, collection, and administration of a sales and use tax imposed under this subchapter to the extent consistent with this chapter, as if references in Chapter 321, Tax Code, to a municipality referred to the district and references to a governing body of a municipality referred to the board.

(b)  Sections 321.401-321.404 and 321.506, Tax Code, do not apply to a tax imposed under this subchapter.

(c)  Notwithstanding any other law, a location maintained in the district by a retailer that has registered with the district for eligible incentive programs is considered to be a place of business of the retailer for all purposes under Chapter 321, Tax Code.

Sec. 3907.0703.  AUTHORIZATION; ELECTION. (a) The district may adopt, increase, reduce, or repeal the sales and use tax authorized by this subchapter at an election in which a majority of the voters of the district voting in the election approve the adoption, increase, reduction, or repeal of the tax, as applicable.

(b)  The board by order shall call an election to adopt a sales and use tax, and may call a subsequent election to increase, reduce, or repeal the tax. The election shall be held on the first authorized uniform election date that occurs after the time required by Section 3.005, Election Code.

(c)  The district shall provide notice of the election and shall hold the election in the manner prescribed by Chapter 54, Water Code, for bond elections for municipal utility districts.

(d)  The ballots shall be printed to provide for voting for or against the following appropriate proposition:

(1)  "Adoption of a \_\_\_ percent district sales and use tax in the district";

(2)  "Increase of the district sales and use tax in the district from \_\_\_ percent to \_\_\_ percent";

(3)  "Reduction of the district sales and use tax in the district from \_\_\_ percent to \_\_\_ percent"; or

(4)  "Repeal of the district sales and use tax in the district."

Sec. 3907.0704.  EFFECTIVE DATE OF TAX. A tax imposed under this subchapter or the repeal or reduction of a tax under this subchapter takes effect on the first day of the first calendar quarter that occurs after the date the comptroller receives the copy of the resolution as required by Section 321.405(b), Tax Code.

Sec. 3907.0705.  SALES AND USE TAX RATE. (a) On adoption or increase of the tax authorized by this subchapter, there is imposed a tax at the rate approved at the election held under Section 3907.0703 on the receipts from the sale at retail of taxable items in the district, and an excise tax on the use, storage, or other consumption in the district of taxable items purchased, leased, or rented from a retailer in the district during the period that the tax is in effect.

(b)  The rate of the excise tax is the same as the rate of the sales tax portion of the tax and is applied to the sales price of the taxable item.

(c)  The board may not adopt or increase a tax authorized under this subchapter if the adoption or increase would cause the combined tax rate of all local sales and use taxes in any location in the district to exceed two percent.

Sec. 3907.0706.  EXAMINATION AND RECEIPT OF INFORMATION. The district may examine and receive information related to the imposition of a sales and use tax to the same extent as if the district were a municipality.

Sec. 3907.0707.  ALTERNATIVE METHOD OF IMPOSITION. Notwithstanding any other provision of this subchapter, the district may impose the sales and use tax as provided by Subchapter F, Chapter 383, Local Government Code, instead of as provided by the other provisions of this subchapter.

SUBCHAPTER I. DISSOLUTION OF DISTRICT

Sec. 3907.0901.  DISSOLUTION. (a) Except as provided by Subsection (b), the board:

(1)  may dissolve the district; and

(2)  shall dissolve the district on receipt of a written petition requesting dissolution signed by the owners of 75 percent of the acreage of real property in the district.

(b)  The board may not dissolve the district until the district's outstanding indebtedness or contractual obligations have been repaid or discharged.

(c)  After the board dissolves the district, the board shall transfer ownership of all district property and assets to the city.

Sec. 3907.0902.  COLLECTION OF ASSESSMENTS AND OTHER REVENUE. (a) If the dissolved district has bonds or other obligations outstanding secured by and payable from assessments or other revenue, other than revenue from ad valorem taxes, the city shall succeed to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

(b)  The city shall have and exercise all district powers to enforce and collect the assessments or other revenue to pay:

(1)  the bonds or other obligations when due and payable according to their terms; or

(2)  special revenue or assessment bonds or other obligations issued by the city to refund the outstanding bonds or obligations.

Sec. 3907.0903.  ASSUMPTION OF ASSETS AND LIABILITIES. (a) After the city dissolves the district, the city assumes, subject to the appropriation and availability of funds, the obligations of the district, including any bonds or other debt payable from assessments or other district revenue.

(b)  If the city dissolves the district, the board shall transfer ownership of all district property to the city.

SECTION 2.  The Lancaster Logistics District initially includes all the territory contained in the following area:

Point one being X-coordinate 2487319.3499 and Y-coordinate 6922754.9501; point two being X-coordinate 2489976.8360 and Y-coordinate 6922802.8371; point three being X-coordinate 2489976.5470 and Y-coordinate 6922821.0920; point four coordinate being X-coordinate 2490900.9402 and Y-coordinate 6923376.5099; point five coordinate being X-coordinate 2495505.2010 and Y-coordinate 6922797.4339; point six coordinate being X-coordinate 2495489.8450 and Y-coordinate 6922059.3209; point seven coordinate being X-coordinate 2495214.5539 and Y-coordinate 6921983.1971; point eight coordinate being X-coordinate 2496694.2750 and Y-coordinate 6919496.9609; point nine coordinate being X-coordinate 2498698.1710 and Y-coordinate 6920689.3210; point ten coordinate being X-coordinate 2498726.2129 and Y-coordinate 6920634.2001; point eleven coordinate being X-coordinate 2498805.9631 and Y-coordinate 6920500.8519; point twelve coordinate being X-coordinate 2498796.2469 and Y-coordinate 6920495.1121; point thirteen coordinate being X-coordinate 2498898.7221 and Y-coordinate 6920297.9941; point fourteen coordinate being X-coordinate 2499954.9900 and Y-coordinate 6918250.7731; point fifteen coordinate being X-coordinate 2500020.1171 and Y-coordinate 6918110.0939; point sixteen coordinate being X-coordinate 2500080.2210 and Y-coordinate 6917974.0879; point seventeen coordinate being X-coordinate 2501523.9560 and Y-coordinate 6914304.8499; point eighteen coordinate being X-coordinate 2502404.900 and Y-coordinate 6912498.8971; point nineteen coordinate being X-coordinate 2509785.2731 and Y-coordinate 6912621.3969; point twenty coordinate being X-coordinate 2509784.7859 and Y-coordinate 6912516.9240; point twenty-one coordinate being X-coordinate 2511570.355 and Y-coordinate 6912541.7871; point twenty-two coordinate being X-coordinate 2511587.5750 and Y-coordinate 6911573.8750; point twenty-three coordinate being X-coordinate 2512533.9012 and Y-coordinate 6910000.6351; point twenty-four coordinate being X-coordinate 2512535.9911 and Y-coordinate 6909888.3341; point twenty-five coordinate being X-coordinate 2514614.8242 and Y-coordinate 6909900.3249; point twenty-six coordinate being X-coordinate 2514667.2709 and Y-coordinate 6907264.8200; point twenty-seven coordinate being X-coordinate 2516211.5549 and Y-coordinate 6907280.1011; point twenty-eight coordinate being X-coordinate 2516170.0251 and Y-coordinate 6909912.8849; point twenty-nine coordinate being X-coordinate 2516946.5971 and Y-coordinate 6909919.5909; point thirty coordinate being X-coordinate 2516993.7056 and Y-coordinate 6907258.3197; point thirty-one coordinate being X-coordinate 2516509.1658 and Y-coordinate 6907250.5887; point thirty-two coordinate being X-coordinate 2516562.6831 and Y-coordinate 6904328.2619; point thirty-three coordinate being X-coordinate 2518941.8539 and Y-coordinate 6904396.1190; point thirty-four coordinate being X-coordinate 2518942.9661 and Y-coordinate 6904330.5266; point thirty-five coordinate being X-coordinate 2521292.8380 and Y-coordinate 6904353.2700; point thirty-six coordinate being X-coordinate 2521316.5316 and Y-coordinate 6903392.5640; point thirty-seven coordinate being X-coordinate 2521325.3878 and Y-coordinate 6903318.4772; point thirty-eight coordinate being X-coordinate 2521356.7041 and Y-coordinate 6901414.3310; point thirty-nine coordinate being X-coordinate 2521314.1169 and Y-coordinate 6901357.4309; point forty coordinate being X-coordinate 2520845.1837 and Y-coordinate 6901221.6041; point forty-one coordinate being X-coordinate 2523173.3261 and Y-coordinate 6897291.2340; point forty-two coordinate being X-coordinate 2523244.9020 and Y-coordinate 6897194.1689; point forty-three coordinate being X-coordinate 2524477.9399 and Y-coordinate 6895996.1168; point forty-four coordinate being X-coordinate 2524485.6109 and Y-coordinate 6895956.3610; point forty-five coordinate being X-coordinate 2523167.6889 and Y-coordinate 6895076.4838; point forty-six coordinate being X-coordinate 2523003.0869 and Y-coordinate 6894897.7000; point forty-seven coordinate being X-coordinate 2522594.3801 and Y-coordinate 6894104.8188; point forty-eight coordinate being X-coordinate 2522330.1201 and Y-coordinate 6893908.7850; point forty-nine coordinate being X-coordinate 2522247.3023 and Y-coordinate 6893900.8585; point fifty coordinate being X-coordinate 2522298.0339 and Y-coordinate 6893422.8851; point fifty-one coordinate being X-coordinate 2522299.8639 and Y-coordinate 6893221.8930; point fifty-two coordinate being X-coordinate 2522428.7511 and Y-coordinate 6892115.8841; point fifty-three coordinate being X-coordinate 2522455.3282 and Y-coordinate 6892072.8300; point fifty-four coordinate being X-coordinate 2522783.9161 and Y-coordinate 6890942.7621; point fifty-five coordinate being X-coordinate 2523200.1459 and Y-coordinate 6889672.9999; point fifty-six coordinate being X-coordinate 2523291.9161 and Y-coordinate 6889500.2738; point fifty-seven coordinate being X-coordinate 2523921.1051 and Y-coordinate 6888507.0298; point fifty-eight coordinate being X-coordinate 2522118.6710 and Y-coordinate 6887405.6878; point fifty-nine coordinate being X-coordinate 2520266.7928 and Y-coordinate 6886458.2150; Follow County Line; point sixty coordinate being X-coordinate 2508923.9081 and Y-coordinate 6886331.4737; Follow County Line; point sixty-one coordinate being X-coordinate 2508923.0819 and Y-coordinate 6886389.0478; point sixty-two coordinate being X-coordinate 2505363.5704 and Y-coordinate 6886346.2066; point sixty-three coordinate being X-coordinate 2505341.5829 and Y-coordinate 6887205.9681; point sixty-four coordinate being X-coordinate 2504421.4269 and Y-coordinate 6888730.5680; point sixty-five coordinate being X-coordinate 2504480.8641 and Y-coordinate 6888746.8019; point sixty-six coordinate being X-coordinate 2505069.5749 and Y-coordinate 6888754.9298; point sixty-seven coordinate being X-coordinate 2505053.1891 and Y-coordinate 6889813.4569; point sixty-eight coordinate being X-coordinate 2506131.2040 and Y-coordinate 6890461.3828; point sixty-nine coordinate being X-coordinate 2508565.2680 and Y-coordinate 6890496.5989; point seventy coordinate being X-coordinate 2508984.1921 and Y-coordinate 6889922.9849; point seventy-one coordinate being X-coordinate 2509296.0231 and Y-coordinate 6890161.8850; point seventy-two coordinate being X-coordinate 2510032.4718 and Y-coordinate 6889160.5334; point seventy-three coordinate being X-coordinate 2510906.7689 and Y-coordinate 6889830.2358; point seventy-four coordinate being X-coordinate 2511682.7841 and Y-coordinate 6888816.9179; point seventy-five coordinate being X-coordinate 2511710.0281 and Y-coordinate 6889181.3739; point seventy-six coordinate being X-coordinate 2511687.6791 and Y-coordinate 6889793.4288; point seventy-seven coordinate being X-coordinate 2511699.9025 and Y-coordinate 6889820.6908; point seventy-eight coordinate being X-coordinate 2512223.6879 and Y-coordinate 6889858.5061; point seventy-nine coordinate being X-coordinate 2512275.7101 and Y-coordinate 2512275.7101; point eighty coordinate being X-coordinate 2512807.7149 and Y-coordinate 6889018.9339; point eighty-one coordinate being X-coordinate 2512888.3890 and Y-coordinate 6887628.7730; point eighty-two coordinate being X-coordinate 2513533.5350 and Y-coordinate 6887687.1981; point eighty-three coordinate being X-coordinate 2513515.9100 and Y-coordinate 6888066.6842; point eighty-four coordinate being X-coordinate 2515061.5713 and Y-coordinate 6888231.1560; point eighty-five coordinate being X-coordinate 2514579.5854 and Y-coordinate 6889037.4132; point eighty-six coordinate being X-coordinate 2515904.4909 and Y-coordinate 6889845.4060; point eighty-seven coordinate being X-coordinate 2516408.3281 and Y-coordinate 6889003.1748; point eighty-eight coordinate being X-coordinate 2516525.6691 and Y-coordinate 6889074.7350; point eighty-nine coordinate being X-coordinate 2517227.4840 and Y-coordinate 6887863.9848; point ninety coordinate being X-coordinate 2517344.5329 and Y-coordinate 6887934.0050; point ninety-one coordinate being X-coordinate 2517530.8731 and Y-coordinate 6887623.9347; point ninety-two coordinate being X-coordinate 2518048.6280 and Y-coordinate 6887935.0329; point ninety-three coordinate being X-coordinate 2518247.8851 and Y-coordinate 6887594.3780; point ninety-four coordinate being X-coordinate 2519209.8950 and Y-coordinate 6887849.1820; point ninety-five coordinate being X-coordinate 2521863.3779 and Y-coordinate 6889450.9829; point ninety-six coordinate being X-coordinate 2520747.6810 and Y-coordinate 6891227.3439; Follow Creek Center Line; point ninety-seven coordinate being X-coordinate 2517733.7280 and Y-coordinate 6893404.5390; point ninety-eight coordinate being X-coordinate 2518948.0829 and Y-coordinate 6894125.8909; point ninety-nine coordinate being X-coordinate 2519460.9421 and Y-coordinate 6894218.9790; point one hundred coordinate being X-coordinate 2519477.5231 and Y-coordinate 6894274.4989; point one hundred one coordinate being X-coordinate 2518991.4509 and Y-coordinate 6894608.7239; point one hundred two coordinate being X-coordinate 2518203.9659 and Y-coordinate 6895897.2138; point one hundred three coordinate being X-coordinate 2517946.8821 and Y-coordinate 6896222.1459; point one hundred four coordinate being X-coordinate 2517545.9640 and Y-coordinate 6896594.0480; point one hundred five coordinate being X-coordinate 2517520.0802 and Y-coordinate 6896574.4631; point one hundred six coordinate being X-coordinate 2517263.3281 and Y-coordinate 6896774.7829; point one hundred seven coordinate being X-coordinate 2516678.0940 and Y-coordinate 6895961.3419; point one hundred eight coordinate being X-coordinate 2516354.2429 and Y-coordinate 6894968.9191; Follow Creek Centerline; point one hundred nine coordinate being X-coordinate 2512515.4101 and Y-coordinate 6896798.7691; point one hundred ten coordinate being X-coordinate 2510070.9550 and Y-coordinate 6895345.0449; point one hundred eleven coordinate being X-coordinate 2510024.3681 and Y-coordinate 6895350.7392; point one hundred twelve coordinate being X-coordinate 2509015.4410 and Y-coordinate 6897053.9060; point one hundred thirteen coordinate being X-coordinate 2508879.8501 and Y-coordinate 6897219.8690; point one hundred fourteen coordinate being X-coordinate 2508718.2930 and Y-coordinate 6897470.1391; Follow Creek Centerline; point one hundred fifteen coordinate being X-coordinate 2505471.8339 and Y-coordinate 6897644.3520; point one hundred sixteen coordinate being X-coordinate 2503937.3199 and Y-coordinate 6894473.5578; point one hundred seventeen coordinate being X-coordinate 2503647.2129 and Y-coordinate 6893979.4791; point one hundred eighteen coordinate being X-coordinate 2498910.1699 and Y-coordinate 6887960.1109; point one hundred nineteen coordinate being X-coordinate 2498769.1209 and Y-coordinate 6887734.4329; point one hundred twenty coordinate being X-coordinate 2498011.9099 and Y-coordinate 6886265.8380; Follow County Line; point one hundred twenty-one coordinate being X-coordinate 2485456.5931 and Y-coordinate 6886126.8941; Follow I-35E Centerline; point one hundred twenty-two coordinate being X-coordinate 2484647.7811 and Y-coordinate 6919718.5261; point one hundred twenty-three coordinate being X-coordinate 2484655.4950 and Y-coordinate 6920045.0090; point one hundred twenty-four coordinate being X-coordinate 2485123.7250 and Y-coordinate 6920060.6599; point one hundred twenty-five coordinate being X-coordinate 2485180.0198 and Y-coordinate 6920152.8001; point one hundred twenty-six coordinate being X-coordinate 2485328.5701 and Y-coordinate 6920236.7501; point one hundred twenty-seven coordinate being X-coordinate 2486026.1310 and Y-coordinate 6920451.3770; point one hundred twenty-eight coordinate being X-coordinate 2487116.2962 and Y-coordinate 6920496.6931; point one hundred twenty-nine coordinate being X-coordinate 2487357.8219 and Y-coordinate 6920522.3640; and finally, point one being X-coordinate 2487319.3499 and Y-coordinate 6922754.9501.

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.

(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)  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 September 1, 2021.