

By: Sherman, Sr.

H.B. No. 4653

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Lancaster Logistics District;
3 providing authority to issue bonds; providing authority to impose
4 assessments, fees, and taxes.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws
7 Code, is amended by adding Chapter 3907 to read as follows:

8 CHAPTER 3907. LANCASTER LOGISTICS DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3907.0101. DEFINITIONS. In this chapter:

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

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

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

14 (4) "Director" means a board member.

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

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

21 Sec. 3907.0103. PURPOSE; DECLARATION OF INTENT. (a) The
22 creation of the district is essential to accomplish the purposes of
23 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
24 Texas Constitution, and other public purposes stated in this

1 chapter. By creating the district and in authorizing the city, and
2 other political subdivisions to contract with the district, the
3 legislature has established a program to accomplish the public
4 purposes set out in Section 52-a, Article III, Texas Constitution.

5 (b) The creation of the district is necessary to promote,
6 develop, encourage, and maintain employment, commerce,
7 transportation, housing, tourism, recreation, the arts,
8 entertainment, economic development, safety, and the public
9 welfare in the district.

10 (c) This chapter and the creation of the district may not be
11 interpreted to relieve the city or county from providing the level
12 of services provided as of the effective date of the Act enacting
13 this chapter to the area in the district. The district is created
14 to supplement and not to supplant city or county services provided
15 in the district.

16 Sec. 3907.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

17 (a) The district is created to serve a public use and benefit.

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

23 (c) The district is created to accomplish the purposes of a
24 municipal management district and a county development district as
25 provided by general law and Sections 52 and 52-a, Article III, and
26 Section 59, Article XVI, Texas Constitution.

27 (d) The creation of the district is in the public interest

1 and is essential to further the public purposes of:

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

4 (2) eliminating unemployment and underemployment; and

5 (3) developing or expanding transportation and
6 commerce.

7 (e) The district will:

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

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

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

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

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

21 (f) Pedestrian ways along or across a street, whether at
22 grade or above or below the surface, and street lighting, street
23 landscaping, parking, and street art objects are parts of and
24 necessary components of a street and are considered to be a street
25 or road improvement.

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

1 this chapter.

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

6 (1) organization, existence, or validity;

7 (2) right to borrow money or issue any type of bonds or
8 other obligations described by this chapter for a purpose for which
9 the district is created or to pay the principal of and interest on
10 the bonds or other obligations;

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

13 (4) legality or operation; or

14 (5) right to contract.

15 Sec. 3907.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

16 (a) All or any part of the area of the district is eligible to be
17 included in:

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

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

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

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

26 (b) If the city or county creates a tax increment
27 reinvestment zone described by Subsection (a), the city or county

1 and the board of directors of the zone, by contract with the
2 district, may grant money deposited in the tax increment fund to the
3 district to be used by the district for:

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

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

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

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

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

17 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

26 (1) the mayor of the city;

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

- 1 (3) the city's city manager;
- 2 (4) the city's finance director;
- 3 (5) the city's economic development director; and
- 4 (6) director of a Type B economic development
5 corporation authorized by the city.

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

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

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

17 Sec. 3907.0204. QUORUM. For purposes of determining the
18 requirements for a quorum of the board, the following are not
19 counted:

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

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

24 (3) a nonvoting director.

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

1 SUBCHAPTER C. POWERS AND DUTIES

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

5 Sec. 3907.0302. DEVELOPMENT CORPORATION POWERS. The
6 district, using money available to the district, may exercise the
7 powers given to a development corporation under Chapter 505, Local
8 Government Code, including the power to own, operate, acquire,
9 construct, lease, improve, or maintain a project under that
10 chapter.

11 Sec. 3907.0303. NONPROFIT CORPORATION. (a) The board by
12 resolution may authorize the creation of a nonprofit corporation to
13 assist and act for the district in implementing a project or
14 providing a service authorized by this chapter.

15 (b) The nonprofit corporation:

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

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

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

27 Sec. 3907.0304. AGREEMENTS; GRANTS. (a) As provided by

1 Chapter 375, Local Government Code, the district may make an
2 agreement with or accept a gift, grant, or loan from any person.

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

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

10 Sec. 3907.0306. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
11 The district may join and pay dues to a charitable or nonprofit
12 organization that performs a service or provides an activity
13 consistent with the furtherance of a district purpose.

14 Sec. 3907.0307. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
15 district may engage in activities that accomplish the economic
16 development purposes of the district.

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

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

22 (2) provide district personnel and services.

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

26 (1) Chapter 380, Local Government Code; and

27 (2) Subchapter A, Chapter 1509, Government Code.

1 Sec. 3907.0308. ELIGIBILITY FOR CERTAIN GRANTS.

2 Notwithstanding any other law, a retailer that has registered with
3 the district for eligible incentive programs is eligible to receive
4 a grant under the Texas Enterprise Fund program established under
5 Subchapter E, Chapter 481, Government Code, for a purpose specified
6 by Section 481.078 of that code. A rule applicable to the retailer
7 that requires the retailer to pay a certain wage to be eligible to
8 receive a grant under that section may not require a wage that
9 exceeds 75 percent of the prevailing wage of other eligible
10 retailers in the county.

11 Sec. 3907.0309. NO EMINENT DOMAIN POWER. The district may
12 not exercise the power of eminent domain.

13 Sec. 3907.0310. PARKING FACILITIES. (a) The district may
14 acquire, lease as lessor or lessee, construct, develop, own,
15 operate, and maintain parking facilities or a system of parking
16 facilities, including lots, garages, parking terminals, or other
17 structures or accommodations for parking motor vehicles off the
18 streets and related appurtenances.

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

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

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

1 Sec. 3907.0311. CONSERVATION AND RECLAMATION DISTRICT
2 POWERS. The district has the powers provided by the general laws
3 relating to conservation and reclamation districts created under
4 Section 59, Article XVI, Texas Constitution, including Chapters 49
5 and 54, Water Code.

6 Sec. 3907.0312. ROAD DISTRICT POWERS. The district has the
7 powers provided by the general laws relating to road districts and
8 road utility districts created under Section 52(b), Article III,
9 Texas Constitution, including Chapter 441, Transportation Code.

10 Sec. 3907.0313. PUBLIC IMPROVEMENT DISTRICT POWERS. The
11 district has the powers provided by Chapter 372, Local Government
12 Code, to a municipality or county.

13 Sec. 3907.0314. CONTRACT POWERS. The district may contract
14 with a governmental or private entity, on terms determined by the
15 board, to carry out a power or duty authorized by this chapter or to
16 accomplish a purpose for which the district is created.

17 Sec. 3907.0315. MUNICIPAL DEVELOPMENT DISTRICT POWERS. The
18 district may exercise the powers given to a municipal development
19 district under Chapter 377, Local Government Code, including the
20 power to own, operate, acquire, construct, lease, improve, or
21 maintain a project described by that chapter.

22 SUBCHAPTER D. IMPROVEMENT PROJECTS AND SERVICES

23 Sec. 3907.0401. IMPROVEMENT PROJECTS AND SERVICES. The
24 district may provide, design, construct, acquire, improve,
25 relocate, operate, maintain, or finance an improvement project or
26 service, including tourism and visitor facilities, using any money
27 available to the district, or contract with a governmental or

1 private entity and reimburse that entity for the provision, design,
2 construction, acquisition, improvement, relocation, operation,
3 maintenance, or financing of an improvement project, service, or
4 cost, for the provision of credit enhancement, or for any cost of
5 operating or maintaining the district or the issuance of district
6 obligations authorized under this chapter, Chapter 372, 375, or
7 377, Local Government Code, or Chapter 49 or 54, Water Code.

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

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

16 (1) Chapter 372, Local Government Code; or

17 (2) Chapter 375, Local Government Code.

18 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

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

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

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

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

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

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

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

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

21 Sec. 3907.0503. ASSESSMENTS. (a) Except as provided by
22 Subsection (b), the district may impose an assessment on property
23 in the district, regardless of whether the property is contiguous,
24 to pay for an obligation described by Section 3907.0502 or for an
25 improvement project authorized under Section 3907.0401 in the
26 manner provided for:

27 (1) a district under Subchapter A, E, or F, Chapter

1 375, Local Government Code; or

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

4 (b) The district may:

5 (1) adopt procedures for the collection of assessments
6 under this chapter that are consistent with the procedures for the
7 collection of a hotel occupancy tax under Chapter 351, Tax Code; and

8 (2) pursue remedies for the failure to pay an
9 assessment under this chapter that are available for failure to pay
10 a hotel occupancy tax under Chapter 351, Tax Code.

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

13 Sec. 3907.0504. RESIDENTIAL PROPERTY NOT EXEMPT. Section
14 375.161, Local Government Code, does not apply to the district.

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

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

21 (1) public water and wastewater facilities;

22 (2) drainage and storm water facilities; and

23 (3) streets and alleys.

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

27 Sec. 3907.0506. RATES, FEES, AND CHARGES. The district may

1 establish, revise, repeal, enforce, and collect rates, fees, and
2 charges for the enjoyment, sale, rental, or other use of:

3 (1) an improvement project;

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

5 or

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

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

10 (1) the collection and treatment of wastewater;

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

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

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

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

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

27 (2) for improving, enhancing, providing, or

1 supporting tourism, recreation, housing, the arts, entertainment,
2 or economic development; or

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

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

9 SUBCHAPTER F. TAXES AND BONDS

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

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

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

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

26 Sec. 3907.0603. OPERATION AND MAINTENANCE TAX. (a) If
27 authorized by a majority of the district voters voting at an

1 election held under Section 3907.0602, the district may impose an
2 operation and maintenance tax on taxable property in the district
3 in accordance with Section 49.107, Water Code.

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

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

8 Sec. 3907.0604. CONTRACT TAXES. (a) In accordance with
9 Section 49.108, Water Code, the district may impose a tax other than
10 an operation and maintenance tax and use the revenue derived from
11 the tax to make payments under a contract after the provisions of
12 the contract have been approved by a majority of the district voters
13 voting at an election held for that purpose.

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

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

20 (1) the board shall impose a continuing direct annual
21 ad valorem tax, without limit as to rate or amount, for each year
22 that all or part of the bonds are outstanding; and

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

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

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

4 (C) pay the expenses of imposing the taxes.

5 SUBCHAPTER G. SALES AND USE TAX

6 Sec. 3907.0701. MEANINGS OF WORDS AND PHRASES. A word or
7 phrase used in this subchapter that is defined by Chapter 151 or
8 321, Tax Code, has the meaning assigned by Chapter 151 or 321, Tax
9 Code, except to the extent inconsistent with Section 3907.0702(c).

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

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

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

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

1 adoption, increase, reduction, or repeal of the tax, as
2 applicable.

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

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

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

13 (1) "Adoption of a ___ percent district sales and use
14 tax in the district";

15 (2) "Increase of the district sales and use tax in the
16 district from ___ percent to ___ percent";

17 (3) "Reduction of the district sales and use tax in the
18 district from ___ percent to ___ percent"; or

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

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

26 Sec. 3907.0705. SALES AND USE TAX RATE. (a) On adoption or
27 increase of the tax authorized by this subchapter, there is imposed

1 a tax at the rate approved at the election held under Section
2 3907.0703 on the receipts from the sale at retail of taxable items
3 in the district, and an excise tax on the use, storage, or other
4 consumption in the district of taxable items purchased, leased, or
5 rented from a retailer in the district during the period that the
6 tax is in effect.

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

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

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

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

23 SUBCHAPTER H. HOTEL OCCUPANCY TAX

24 Sec. 3907.0801. DEFINITION. In this subchapter, "hotel"
25 has the meaning assigned by Section 156.001, Tax Code.

26 Sec. 3907.0802. APPLICABILITY OF CERTAIN TAX CODE
27 PROVISIONS. (a) In this subchapter:

1 (1) a reference in Chapter 351, Tax Code, to a
2 municipality is a reference to the district; and

3 (2) a reference in Chapter 351, Tax Code, to the
4 governing body of a municipality is a reference to the board.

5 (b) Except as inconsistent with this subchapter, Subchapter
6 A, Chapter 351, Tax Code, governs a hotel occupancy tax authorized
7 by this subchapter, including the collection of the tax, subject to
8 the limitations prescribed by Sections 351.002(b) and (c), Tax
9 Code.

10 Sec. 3907.0803. TAX AUTHORIZED; TAX RATE. (a) The district
11 may impose a hotel occupancy tax for the purposes described by
12 Section 3907.0805.

13 (b) The amount of the tax may not exceed seven percent of the
14 price paid for a room in a hotel.

15 Sec. 3907.0804. INFORMATION. The district may examine and
16 receive information related to the imposition of hotel occupancy
17 taxes to the same extent as if the district were a municipality.

18 Sec. 3907.0805. USE OF HOTEL OCCUPANCY TAX. The district
19 may use the proceeds from a hotel occupancy tax imposed under this
20 subchapter for any of the district's purposes.

21 SUBCHAPTER I. DISSOLUTION OF DISTRICT

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

24 (1) may dissolve the district; and
25 (2) shall dissolve the district on receipt of a
26 written petition requesting dissolution signed by the owners of 75
27 percent of the acreage of real property in the district.

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

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

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

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

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

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

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

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

27 SECTION 2. The Lancaster Logistics District initially

1 includes all the territory contained in the following area:
2 Point one being X-coordinate 2487319.3499 and Y-coordinate
3 6922754.9501; point two being X-coordinate 2489976.8360 and
4 Y-coordinate 6922802.8371; point three being X-coordinate
5 2489976.5470 and Y-coordinate 6922821.0920; point four coordinate
6 being X-coordinate 2490900.9402 and Y-coordinate 6923376.5099;
7 point five coordinate being X-coordinate 2495505.2010 and
8 Y-coordinate 6922797.4339; point six coordinate being X-coordinate
9 2495489.8450 and Y-coordinate 6922059.3209; point seven coordinate
10 being X-coordinate 2495214.5539 and Y-coordinate 6921983.1971;
11 point eight coordinate being X-coordinate 2496694.2750 and
12 Y-coordinate 6919496.9609; point nine coordinate being
13 X-coordinate 2498698.1710 and Y-coordinate 6920689.3210; point
14 ten coordinate being X-coordinate 2498726.2129 and Y-coordinate
15 6920634.2001; point eleven coordinate being X-coordinate
16 2498805.9631 and Y-coordinate 6920500.8519; point twelve
17 coordinate being X-coordinate 2498796.2469 and Y-coordinate
18 6920495.1121; point thirteen coordinate being X-coordinate
19 2498898.7221 and Y-coordinate 6920297.9941; point fourteen
20 coordinate being X-coordinate 2499954.9900 and Y-coordinate
21 6918250.7731; point fifteen coordinate being X-coordinate
22 2500020.1171 and Y-coordinate 6918110.0939; point sixteen
23 coordinate being X-coordinate 2500080.2210 and Y-coordinate
24 6917974.0879; point seventeen coordinate being X-coordinate
25 2501523.9560 and Y-coordinate 6914304.8499; point eighteen
26 coordinate being X-coordinate 2502404.900 and Y-coordinate
27 6912498.8971; point nineteen coordinate being X-coordinate

1 2509785.2731 and Y-coordinate 6912621.3969; point twenty
2 coordinate being X-coordinate 2509784.7859 and Y-coordinate
3 6912516.9240; point twenty-one coordinate being X-coordinate
4 2511570.355 and Y-coordinate 6912541.7871; point twenty-two
5 coordinate being X-coordinate 2511587.5750 and Y-coordinate
6 6911573.8750; point twenty-three coordinate being X-coordinate
7 2512533.9012 and Y-coordinate 6910000.6351; point twenty-four
8 coordinate being X-coordinate 2512535.9911 and Y-coordinate
9 6909888.3341; point twenty-five coordinate being X-coordinate
10 2514614.8242 and Y-coordinate 6909900.3249; point twenty-six
11 coordinate being X-coordinate 2514667.2709 and Y-coordinate
12 6907264.8200; point twenty-seven coordinate being X-coordinate
13 2516211.5549 and Y-coordinate 6907280.1011; point twenty-eight
14 coordinate being X-coordinate 2516170.0251 and Y-coordinate
15 6909912.8849; point twenty-nine coordinate being X-coordinate
16 2516946.5971 and Y-coordinate 6909919.5909; point thirty
17 coordinate being X-coordinate 2516993.7056 and Y-coordinate
18 6907258.3197; point thirty-one coordinate being X-coordinate
19 2516509.1658 and Y-coordinate 6907250.5887; point thirty-two
20 coordinate being X-coordinate 2516562.6831 and Y-coordinate
21 6904328.2619; point thirty-three coordinate being X-coordinate
22 2518941.8539 and Y-coordinate 6904396.1190; point thirty-four
23 coordinate being X-coordinate 2518942.9661 and Y-coordinate
24 6904330.5266; point thirty-five coordinate being X-coordinate
25 2521292.8380 and Y-coordinate 6904353.2700; point thirty-six
26 coordinate being X-coordinate 2521316.5316 and Y-coordinate
27 6903392.5640; point thirty-seven coordinate being X-coordinate

1 2521325.3878 and Y-coordinate 6903318.4772; point thirty-eight
2 coordinate being X-coordinate 2521356.7041 and Y-coordinate
3 6901414.3310; point thirty-nine coordinate being X-coordinate
4 2521314.1169 and Y-coordinate 6901357.4309; point forty coordinate
5 being X-coordinate 2520845.1837 and Y-coordinate 6901221.6041;
6 point forty-one coordinate being X-coordinate 2523173.3261 and
7 Y-coordinate 6897291.2340; point forty-two coordinate being
8 X-coordinate 2523244.9020 and Y-coordinate 6897194.1689; point
9 forty-three coordinate being X-coordinate 2524477.9399 and
10 Y-coordinate 6895996.1168; point forty-four coordinate being
11 X-coordinate 2524485.6109 and Y-coordinate 6895956.3610; point
12 forty-five coordinate being X-coordinate 2523167.6889 and
13 Y-coordinate 6895076.4838; point forty-six coordinate being
14 X-coordinate 2523003.0869 and Y-coordinate 6894897.7000; point
15 forty-seven coordinate being X-coordinate 2522594.3801 and
16 Y-coordinate 6894104.8188; point forty-eight coordinate being
17 X-coordinate 2522330.1201 and Y-coordinate 6893908.7850; point
18 forty-nine coordinate being X-coordinate 2522247.3023 and
19 Y-coordinate 6893900.8585; point fifty coordinate being
20 X-coordinate 2522298.0339 and Y-coordinate 6893422.8851; point
21 fifty-one coordinate being X-coordinate 2522299.8639 and
22 Y-coordinate 6893221.8930; point fifty-two coordinate being
23 X-coordinate 2522428.7511 and Y-coordinate 6892115.8841; point
24 fifty-three coordinate being X-coordinate 2522455.3282 and
25 Y-coordinate 6892072.8300; point fifty-four coordinate being
26 X-coordinate 2522783.9161 and Y-coordinate 6890942.7621; point
27 fifty-five coordinate being X-coordinate 2523200.1459 and

1 Y-coordinate 6889672.9999; point fifty-six coordinate being
2 X-coordinate 2523291.9161 and Y-coordinate 6889500.2738; point
3 fifty-seven coordinate being X-coordinate 2523921.1051 and
4 Y-coordinate 6888507.0298; point fifty-eight coordinate being
5 X-coordinate 2522118.6710 and Y-coordinate 6887405.6878; point
6 fifty-nine coordinate being X-coordinate 2520266.7928 and
7 Y-coordinate 6886458.2150; Follow County Line; point sixty
8 coordinate being X-coordinate 2508923.9081 and Y-coordinate
9 6886331.4737; Follow County Line; point sixty-one coordinate being
10 X-coordinate 2508923.0819 and Y-coordinate 6886389.0478; point
11 sixty-two coordinate being X-coordinate 2505363.5704 and
12 Y-coordinate 6886346.2066; point sixty-three coordinate being
13 X-coordinate 2505341.5829 and Y-coordinate 6887205.9681; point
14 sixty-four coordinate being X-coordinate 2504421.4269 and
15 Y-coordinate 6888730.5680; point sixty-five coordinate being
16 X-coordinate 2504480.8641 and Y-coordinate 6888746.8019; point
17 sixty-six coordinate being X-coordinate 2505069.5749 and
18 Y-coordinate 6888754.9298; point sixty-seven coordinate being
19 X-coordinate 2505053.1891 and Y-coordinate 6889813.4569; point
20 sixty-eight coordinate being X-coordinate 2506131.2040 and
21 Y-coordinate 6890461.3828; point sixty-nine coordinate being
22 X-coordinate 2508565.2680 and Y-coordinate 6890496.5989; point
23 seventy coordinate being X-coordinate 2508984.1921 and
24 Y-coordinate 6889922.9849; point seventy-one coordinate being
25 X-coordinate 2509296.0231 and Y-coordinate 6890161.8850; point
26 seventy-two coordinate being X-coordinate 2510032.4718 and
27 Y-coordinate 6889160.5334; point seventy-three coordinate being

1 X-coordinate 2510906.7689 and Y-coordinate 6889830.2358; point
2 seventy-four coordinate being X-coordinate 2511682.7841 and
3 Y-coordinate 6888816.9179; point seventy-five coordinate being
4 X-coordinate 2511710.0281 and Y-coordinate 6889181.3739; point
5 seventy-six coordinate being X-coordinate 2511687.6791 and
6 Y-coordinate 6889793.4288; point seventy-seven coordinate being
7 X-coordinate 2511699.9025 and Y-coordinate 6889820.6908; point
8 seventy-eight coordinate being X-coordinate 2512223.6879 and
9 Y-coordinate 6889858.5061; point seventy-nine coordinate being
10 X-coordinate 2512275.7101 and Y-coordinate 2512275.7101; point
11 eighty coordinate being X-coordinate 2512807.7149 and
12 Y-coordinate 6889018.9339; point eighty-one coordinate being
13 X-coordinate 2512888.3890 and Y-coordinate 6887628.7730; point
14 eighty-two coordinate being X-coordinate 2513533.5350 and
15 Y-coordinate 6887687.1981; point eighty-three coordinate being
16 X-coordinate 2513515.9100 and Y-coordinate 6888066.6842; point
17 eighty-four coordinate being X-coordinate 2515061.5713 and
18 Y-coordinate 6888231.1560; point eighty-five coordinate being
19 X-coordinate 2514579.5854 and Y-coordinate 6889037.4132; point
20 eighty-six coordinate being X-coordinate 2515904.4909 and
21 Y-coordinate 6889845.4060; point eighty-seven coordinate being
22 X-coordinate 2516408.3281 and Y-coordinate 6889003.1748; point
23 eighty-eight coordinate being X-coordinate 2516525.6691 and
24 Y-coordinate 6889074.7350; point eighty-nine coordinate being
25 X-coordinate 2517227.4840 and Y-coordinate 6887863.9848; point
26 ninety coordinate being X-coordinate 2517344.5329 and
27 Y-coordinate 6887934.0050; point ninety-one coordinate being

1 X-coordinate 2517530.8731 and Y-coordinate 6887623.9347; point
2 ninety-two coordinate being X-coordinate 2518048.6280 and
3 Y-coordinate 6887935.0329; point ninety-three coordinate being
4 X-coordinate 2518247.8851 and Y-coordinate 6887594.3780; point
5 ninety-four coordinate being X-coordinate 2519209.8950 and
6 Y-coordinate 6887849.1820; point ninety-five coordinate being
7 X-coordinate 2521863.3779 and Y-coordinate 6889450.9829; point
8 ninety-six coordinate being X-coordinate 2520747.6810 and
9 Y-coordinate 6891227.3439; Follow Creek Center Line; point
10 ninety-seven coordinate being X-coordinate 2517733.7280 and
11 Y-coordinate 6893404.5390; point ninety-eight coordinate being
12 X-coordinate 2518948.0829 and Y-coordinate 6894125.8909; point
13 ninety-nine coordinate being X-coordinate 2519460.9421 and
14 Y-coordinate 6894218.9790; point one hundred coordinate being
15 X-coordinate 2519477.5231 and Y-coordinate 6894274.4989; point
16 one hundred one coordinate being X-coordinate 2518991.4509 and
17 Y-coordinate 6894608.7239; point one hundred two coordinate being
18 X-coordinate 2518203.9659 and Y-coordinate 6895897.2138; point
19 one hundred three coordinate being X-coordinate 2517946.8821 and
20 Y-coordinate 6896222.1459; point one hundred four coordinate being
21 X-coordinate 2517545.9640 and Y-coordinate 6896594.0480; point
22 one hundred five coordinate being X-coordinate 2517520.0802 and
23 Y-coordinate 6896574.4631; point one hundred six coordinate being
24 X-coordinate 2517263.3281 and Y-coordinate 6896774.7829; point one
25 hundred seven coordinate being X-coordinate 2516678.0940 and
26 Y-coordinate 6895961.3419; point one hundred eight coordinate
27 being X-coordinate 2516354.2429 and Y-coordinate 6894968.9191;

1 Follow Creek Centerline; point one hundred nine coordinate being
2 X-coordinate 2512515.4101 and Y-coordinate 6896798.7691; point
3 one hundred ten coordinate being X-coordinate 2510070.9550 and
4 Y-coordinate 6895345.0449; point one hundred eleven coordinate
5 being X-coordinate 2510024.3681 and Y-coordinate 6895350.7392;
6 point one hundred twelve coordinate being X-coordinate
7 2509015.4410 and Y-coordinate 6897053.9060; point one hundred
8 thirteen coordinate being X-coordinate 2508879.8501 and
9 Y-coordinate 6897219.8690; point one hundred fourteen coordinate
10 being X-coordinate 2508718.2930 and Y-coordinate 6897470.1391;
11 Follow Creek Centerline; point one hundred fifteen coordinate
12 being X-coordinate 2505471.8339 and Y-coordinate 6897644.3520;
13 point one hundred sixteen coordinate being X-coordinate
14 2503937.3199 and Y-coordinate 6894473.5578; point one hundred
15 seventeen coordinate being X-coordinate 2503647.2129 and
16 Y-coordinate 6893979.4791; point one hundred eighteen coordinate
17 being X-coordinate 2498910.1699 and Y-coordinate 6887960.1109;
18 point one hundred nineteen coordinate being X-coordinate
19 2498769.1209 and Y-coordinate 6887734.4329; point one hundred
20 twenty coordinate being X-coordinate 2498011.9099 and
21 Y-coordinate 6886265.8380; Follow County Line; point one hundred
22 twenty-one coordinate being X-coordinate 2485456.5931 and
23 Y-coordinate 6886126.8941; Follow I-35E Centerline; point one
24 hundred twenty-two coordinate being X-coordinate 2484647.7811 and
25 Y-coordinate 6919718.5261; point one hundred twenty-three
26 coordinate being X-coordinate 2484655.4950 and Y-coordinate
27 6920045.0090; point one hundred twenty-four coordinate being

1 X-coordinate 2485123.7250 and Y-coordinate 6920060.6599; point one
2 hundred twenty-five coordinate being X-coordinate 2485180.0198
3 and Y-coordinate 6920152.8001; point one hundred twenty-six
4 coordinate being X-coordinate 2485328.5701 and Y-coordinate
5 6920236.7501; point one hundred twenty-seven coordinate being
6 X-coordinate 2486026.1310 and Y-coordinate 6920451.3770; point
7 one hundred twenty-eight coordinate being X-coordinate
8 2487116.2962 and Y-coordinate 6920496.6931; point one hundred
9 twenty-nine coordinate being X-coordinate 2487357.8219 and
10 Y-coordinate 6920522.3640; and finally, point one being
11 X-coordinate 2487319.3499 and Y-coordinate 6922754.9501.

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

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

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

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

H.B. No. 4653

1 to the notice, introduction, and passage of this Act have been
2 fulfilled and accomplished.

3 SECTION 4. This Act takes effect September 1, 2021.