

By: Kolkhorst

S.B. No. 2151

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Waller County Municipal Utility
3 District No. 9A; granting a limited power of eminent domain;
4 providing authority to issue bonds; providing authority to impose
5 assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws
8 Code, is amended by adding Chapter 7902 to read as follows:

9 CHAPTER 7902. WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 9A

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7902.0101. DEFINITIONS. In this chapter:

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

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

15 (3) "Director" means a board member.

16 (4) "District" means the Waller County Municipal
17 Utility District No. 9A.

18 Sec. 7902.0102. NATURE OF DISTRICT. The district is a
19 municipal utility district created under Section 59, Article XVI,
20 Texas Constitution.

21 Sec. 7902.0103. CONFIRMATION AND DIRECTOR ELECTION
22 REQUIRED. The temporary directors shall hold an election to
23 confirm the creation of the district and to elect five permanent
24 directors as provided by Section 49.102, Water Code.

1 Sec. 7902.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7902.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 7902.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

8 (a) The district is created to serve a public purpose and benefit.

9 (b) The district is created to accomplish the purposes of:

10 (1) a municipal utility district as provided by
11 general law and Section 59, Article XVI, Texas Constitution; and

12 (2) Section 52, Article III, Texas Constitution, that
13 relate to the construction, acquisition, improvement, operation,
14 or maintenance of macadamized, graveled, or paved roads, or
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 7902.0106. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

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

23 (1) organization, existence, or validity;

24 (2) right to issue any type of bond for the purposes
25 for which the district is created or to pay the principal of and
26 interest on a bond;

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 7902.0201. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 7902.0202, directors
6 serve staggered four-year terms.

7 Sec. 7902.0202. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) Sharon Wotyek;

10 (2) Blake Allen;

11 (3) Jud Martin;

12 (4) Salman Qadir; and

13 (5) Sawyer Blackburn.

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

15 (1) the date permanent directors are elected under
16 Section 7902.0103; or

17 (2) the fourth anniversary of the effective date of
18 the Act enacting this chapter.

19 (c) If permanent directors have not been elected under
20 Section 7902.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 7902.0103; or

26 (2) the fourth anniversary of the date of the
27 appointment or reappointment.

1 (d) If Subsection (c) applies, the owner or owners of a
2 majority of the assessed value of the real property in the district
3 may submit a petition to the commission requesting that the
4 commission appoint as successor temporary directors the five
5 persons named in the petition. The commission shall appoint as
6 successor temporary directors the five persons named in the
7 petition.

8 Sec. 7902.0203. DESIGNATED BOARD MEETING LOCATION. (a)
9 The board shall designate a meeting place inside the district for
10 conducting the meetings of the board. The meeting place designated
11 may be a private residence or office, provided that, in the order
12 designating the meeting place, the board declares the place where
13 the meeting is held to be a public place and invites the public to
14 attend any meeting of the board held in that place.

15 (b) If the board establishes that no suitable place exists
16 for meeting inside the district, the board may designate a meeting
17 place outside the district. The board shall give notice of the
18 location of a meeting place outside the district by:

19 (1) filing a copy of the resolution designating the
20 location and a justification of why the meeting will not be held in
21 the district or within 10 miles of the boundary of the district, if
22 applicable, with the commission; and

23 (2) publishing notice of the location in a newspaper
24 of general circulation in the district.

25 (c) If the board changes the location of a meeting place
26 outside the district, the board shall give notice of the change in
27 the manner described by Subsection (b).

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7902.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7902.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7902.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 7902.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and

1 specifications of the road project.

2 Sec. 7902.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3 ORDINANCE OR RESOLUTION. The district shall comply with all
4 applicable requirements of any ordinance or resolution that is
5 adopted under Section 54.016 or 54.0165, Water Code, and that
6 consents to the creation of the district or to the inclusion of land
7 in the district.

8 Sec. 7902.0306. DIVISION OF DISTRICT. (a) The district may
9 be divided into two or more new districts only if the district:

10 (1) has no outstanding bonded debt; and

11 (2) is not imposing ad valorem taxes.

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

15 (c) A new district created by the division of the district
16 may not, at the time the new district is created, contain any land
17 outside the area described by Section 2 of the Act enacting this
18 chapter.

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

23 (e) The board may adopt an order dividing the district
24 before or after the date the board holds an election under Section
25 7902.0103 to confirm the district's creation.

26 (f) An order dividing the district shall:

27 (1) name each new district;

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

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

5 (4) provide for the division of assets and liabilities
6 between the new districts.

7 (g) On or before the 30th day after the date of adoption of
8 an order dividing the district, the district shall file the order
9 with the commission and record the order in the real property
10 records of each county in which the district is located.

11 (h) A new district created by the division of the district
12 shall hold a confirmation and directors' election as required by
13 Section 7902.0103.

14 (i) If the creation of the new district is confirmed, the
15 new district shall provide the election date and results to the
16 commission.

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

21 (k) Municipal consent to the creation of the district and to
22 the inclusion of land in the district granted under Section
23 7902.0104 acts as municipal consent to the creation of any new
24 district created by the division of the district and to the
25 inclusion of land in the new district.

26 Sec. 7902.0307. LIMITATION ON USE OF EMINENT DOMAIN. The
27 district may not exercise the power of eminent domain outside the

1 district to acquire a site or easement for:

2 (1) a road project authorized by Section 7902.0303; or

3 (2) a recreational facility as defined by Section
4 49.462, Water Code.

5 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

6 Sec. 7902.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

7 The district may issue, without an election, bonds and other
8 obligations secured by:

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

10 (2) contract payments described by Section 7902.0403.

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

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

19 Sec. 7902.0402. OPERATION AND MAINTENANCE TAX. (a) If
20 authorized at an election held under Section 7902.0401, the
21 district may impose an operation and maintenance tax on taxable
22 property in the district in accordance with Section 49.107, Water
23 Code.

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

26 Sec. 7902.0403. CONTRACT TAXES. (a) In accordance with
27 Section 49.108, Water Code, the district may impose a tax other than

1 an operation and maintenance tax and use the revenue derived from
2 the tax to make payments under a contract after the provisions of
3 the contract have been approved by a majority of the district voters
4 voting at an election held for that purpose.

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

8 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

9 Sec. 7902.0501. AUTHORITY TO ISSUE BONDS AND OTHER
10 OBLIGATIONS. The district may issue bonds or other obligations
11 payable wholly or partly from ad valorem taxes, impact fees,
12 revenue, contract payments, grants, or other district money, or any
13 combination of those sources, to pay for any authorized district
14 purpose.

15 Sec. 7902.0502. TAXES FOR BONDS. At the time the district
16 issues bonds payable wholly or partly from ad valorem taxes, the
17 board shall provide for the annual imposition of a continuing
18 direct ad valorem tax, without limit as to rate or amount, while all
19 or part of the bonds are outstanding as required and in the manner
20 provided by Sections 54.601 and 54.602, Water Code.

21 Sec. 7902.0503. BONDS FOR ROAD PROJECTS. At the time of
22 issuance, the total principal amount of bonds or other obligations
23 issued or incurred to finance road projects and payable from ad
24 valorem taxes may not exceed one-fourth of the assessed value of the
25 real property in the district.

26 SECTION 2. Waller County Municipal Utility District No. 9A
27 initially includes all the territory contained in the following

1 area:

2 A 602.8 acre tract of land out of the remainder of a called 562.636
3 acre tract of land as conveyed to KATY 884 PARTNERS, LTD, a Texas
4 limited partnership, as recorded in Volume 1077, Page 592 of the
5 Official Public Records of Waller County, Texas (WCOPR), all of a
6 called 106.590 acre tract of land conveyed to Katy Partners, Ltd. as
7 recorded in Volume 1077, Page 685 Deed Records of Waller County,
8 Texas (WCDR), all of a called 107.332 acre tract of land conveyed to
9 Katy Partners, Ltd. as recorded in Volume 1077, Page 675 (WCDR) and
10 all of a called 107.257 acre tract of land conveyed to Katy 884
11 Partners, Ltd. as recorded in Volume 1077, Page 608 (WCDR) being out
12 of the H. & T.C. Railroad Company Survey, Section 114 and the Fred
13 Eule Survey, Abstract 374, Waller County, Texas, SAVE AND EXCEPT
14 281.000 acre tract of land conveyed to LGI Homes-Texas, LLC, as
15 recorded in Clerk's File No. 201607707 in the Official Public
16 Records of Waller County, Texas (WCOPR). Said 602.8 acre tract
17 being more fully described as follows, all bearings are based on the
18 Texas Coordinate System, South Central Zone (4204), NAD-83
19 (NA2011), epoch 2010.00;

20 BEGINNING: at a point for the southwest corner of said 562.636 acre
21 tract, the northwest corner of a called 0.9738 acre tract as
22 recorded in Volume 686, Page 15 (WCDR), lying in the east
23 right-of-way line of F.M. 2855 (100 feet wide), in the south line of
24 said Fred Eule Survey, Sect. 114, A-374 and the north line of said
25 and the H.&T.C. R.R. Co. Survey Sect. 111, A- 172, also being the
26 most westerly southwest corner of the herein described tract and
27 lying in the apparent centerline of Beckendorf Road (unimproved);

1 THENCE: Along and with the east right-of-way line of said F.M. 2855
2 and the west line of said 562.636 acre tract the following courses
3 and distances

4 N 02°05'14" W, 1507.94 feet to a point for a corner of the herein
5 described tract,

6 N 01°14'00" W, 331.24 feet to a point for a corner of the herein
7 described tract,

8 N 00°21'18" W, 213.88 feet to a point for a corner of the herein
9 described tract,

10 N 00°41'06" W, 348.01 feet to a point for a corner of the herein
11 described tract,

12 N 02°19'58" W, 251.32 feet to a point for a corner of the herein
13 described tract,

14 N 02°49'49" W, 451.99 feet to a point for a corner of the herein
15 described. tract,

16 N 04°12'15" W, 104.06 feet to a point for a corner of the herein
17 described tract,

18 N 03°27'47" W, 447.87 feet to a point for a corner of the herein
19 described tract, and

20 N 02°05'26" W, 384.85 feet to a point for the southwest corner of a
21 called 8.603 acre tract as recorded in Volume 1297, Page 036
22 (WCDR).;

23 THENCE: N 87°41'05" E, 436.33 feet with the south line of said 8.603
24 acre tract to a point for the southeast corner of said 8.603 acre
25 tract and an interior corner of said 562.636 acre tract;

26 THENCE: N 01°58'03" W, 1177.95 feet with the east line of said 8.603
27 acre tract and the east line of a called 3.173 acre tract as

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1 recorded in Volume 432, Page 449 (WCDR) to a point for the northeast
2 corner of said 11.76 acre tract and the common most northwesterly
3 corner of said 562.636 and the herein described tract, also lying in
4 the south right-of-way line of F.M. 529 (120 feet wide);

5 THENCE: N 87°58'20" E, 469.07 feet with the north line of said
6 562.636 acre tract and the south right-of-way line of said F.M. 529
7 to a point for the northwest corner of a called 20.000 acre tract as
8 recorded in Volume 1376, Page 621 (WCDR);

9 THENCE: S 02°00'04" E, 1181.11 feet with the west line of said
10 20.000 acre tract to a point for the southwest corner of said 20.000
11 acre tract and an interior corner of the herein described tract;

12 THENCE: N 88°00'32" E, 1922.94 feet with the south line of said
13 20.000 acre tract, a called 7.408 acre tract as recorded in Volume
14 1289, Page 482 (WCDR), a called 13.695 acre tract as recorded in
15 Volume 1339, Page 144 (WCDR) and a second called 13.695 acre tract
16 as recorded in Volume 1175, Page 621 (WCDR) to a point for the
17 southeast corner of the second mentioned 13.695 acre tract and an
18 interior corner of the herein described tract;

19 THENCE: N 02°00'04" W, 1181.11 feet with the east line of the second
20 mentioned 13.695 acre tract to a point for the northeast corner of
21 the second mentioned 13.695 acre tract and lying in the south
22 right-of-way line of said F.M. 529;

23 THENCE: N 88°02'40" E, 644.29 feet with the north line of said
24 562.636 acre tract and the south right-of-way line of said F.M. 529
25 to a point for the northeast corner of said 281.000 acre tract the
26 herein described tract;

27 THENCE: Departing the north line of said 562.636 acre tract,

1 continuing over and across said 562.636 acre tract and with the west
2 line of said 281.000 acre tract the following courses and
3 distances:

4 S 02°19'51" E, a distance of 1099.87 feet to a point for a corner of
5 the herein described tract,

6 S 67°22'45" W, a distance of 1167.03 feet to a point for a corner of
7 the herein described tract,

8 S 25°17'57" W, a distance of 161.34 feet to a point for a corner of
9 the herein described tract,

10 Southeasterly, along a non-tangent curve to the left, having a
11 radial bearing of N 75°26'06" E, a radius of 1273.29 feet, a central
12 angle of 38°29'17", a chord bearing and distance of S 33°48'33" E,
13 839.33 feet, for an arc length of 855.32 feet to a point for a corner
14 of the herein described tract,

15 S 85°46'10" E, a distance of 209.23 feet to a point for a corner of
16 the herein described tract,

17 Southwesterly, along a non-tangent curve to the right, having a
18 radial bearing of S 02°25'32" W, a radius of 1866.67 feet, a central
19 angle of 12°00'46", a chord bearing and distance of S 81°34'05" E,
20 390.65 feet, for an arc length of 391.37 feet to a point for a corner
21 of the herein described tract,

22 Southeasterly, along a non-tangent curve to the right, having a
23 radial bearing of S 09°26'17" W, a radius of 171.22 feet, a central
24 angle of 81°46'47", a chord bearing and distance of S 39°40'20" E,
25 224.16 feet, for an arc length of 244.38 feet to a point for a corner
26 of the herein described tract,

27 Southwesterly, along a non-tangent curve to the right, having a

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1 radial bearing of N 71°06'56" W, a radius of 1248.15 feet, a central
2 angle of 08°16'54", a chord bearing and distance of S 23°01'31" W,
3 180.25 feet, for an arc length of 180.41 feet to a point for a corner
4 of the herein described tract,

5 S 27°41'57" W, a distance of 18.52 feet to a point for a corner of the
6 herein described tract,

7 N 74°41'04" W, a distance of 178.23 feet to a point for a corner of
8 the herein described tract,

9 Southwesterly, along a non-tangent curve to the left, having a
10 radial bearing of S 02°44'14" W, a radius of 475.36 feet, a central
11 angle of 87°28'46", a chord bearing and distance of S 48°59'51" W,
12 657.32 feet, for an arc length of 725.79 feet to a point for a corner
13 of the herein described tract,

14 S 09°42'55" E, a distance of 127.14 feet to a point for a corner of
15 the herein described tract,

16 S 27°06'38" E, a distance of 103.76 feet to a point for a corner of
17 the herein described tract,

18 S 27°06'38" E, a distance of 294.99 feet to a point for a corner of
19 the herein described tract,

20 Southwesterly, along a non-tangent curve to the left, having a
21 radial bearing of S 25°17'37" E, a radius of 180.90 feet, a central
22 angle of 50°20'55", a chord bearing and distance of S 39°31'56" W,
23 153.90 feet, for an arc length of 158.97 feet to a point for a corner
24 of the herein described tract,

25 Southwesterly, along a non-tangent curve to the right, having a
26 radial bearing of N 88°45'38" W, a radius of 987.16 feet, a central
27 angle of 43°57'41", a chord bearing and distance of S 23°13'12" W,

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1 738.98 feet, for an arc length of 757.42 feet to a point for a corner
2 of the herein described tract,
3 Southeasterly, along a non-tangent curve to the left, having a
4 radial bearing of S 48°49'56" E, a radius of 279.11 feet, a central
5 angle of 65°31'49", a chord bearing and distance of S 08°24'09" W,
6 302.11 feet, for an arc length of 319.22 feet to a point for a corner
7 of the herein described tract,
8 Southeasterly, along a non-tangent curve to the right, having a
9 radial bearing of S 41°43'04" W, a radius of 853.94 feet, a central
10 angle of 36°36'07", a chord bearing and distance of S 29°58'53" E,
11 536.29 feet, for an arc length of 545.52 feet to a point in the south
12 line of said 562.636 acre tract, the southwest corner of said
13 281.000 acre tract, and being in the apparent centerline of
14 Beckendorf road;
15 THENCE: N 88°04'32" E, along and with the south line of said 281.000
16 acre tract, the apparent centerline of said Beckendorf Road, also
17 being the north line of a aforementioned 106.590 acre tract,
18 107.332 acre tract, and 107.257 acre tract, a distance of 2562.57
19 feet to the southeast corner of said 281.00 acre tract, the north
20 east corner of said 107.332 acre tract, the southwest corner of a
21 called 160 acre tract recorded in Volume 995, Page 461 (WCDR), and
22 being the northwest corner of a called 15.022 acre tract recorded in
23 Clerk's File No. 903180 (WCOPR);
24 THENCE: S 02°04'54" E, 5271.15 feet with the common east line of
25 said 107.257 acre tract and said H.&T.C. R.R. Co. Survey, Sect. 111,
26 A-172, the west line of said Fred Eule Survey, Section 120, Abstract
27 No. 375 to a point for the southwest corner of a called 53.83 acre

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1 tract as recorded in Volume 474, Page 314 W.C.D.R., lying in the
2 south line of said Fred Eule Survey, Sect. 120, A-375, lying in the
3 common north line of the H.&T.C. R.R. Co. Survey, Sect. 121, A-201
4 and a called 281.50 acre tract as recorded in Volume 420, Page 766
5 W.C.D.R., also being the common southeast corner of said H.&T.C.
6 R.R. Co. Survey, Sect. 111, A-172 and the herein described tract;
7 THENCE: S 87°53'18" W, 2655.75 feet with the south line of said
8 H.&T.C. R.R. Co. Survey, Sect. 111, A-172, said 107.257 acre tract,
9 said 107.332 acre tract, said 106.590 acre tract, the north line of
10 said H.&T.C. R.R. Co. Survey, Sec. 121, A-201 and the Fred Eule
11 Survey, Sect. 112, A-373 to a point for the southeast corner of a
12 called 5.0 acre tract as recorded in Volume 1207, Page 7777 (WCDR),
13 the southwest corner of said 106.590 acre tract and the most
14 southerly southwest corner of the herein described tract;
15 THENCE: N 02°00'01" W, 5279.82 feet with the west line of said
16 106.590 acre tract to a point for the northeast corner of a called
17 15 acre tract as recorded in Clerk's File No. 1700296 (WCOPR), the
18 northwest corner of said 106.590 acre tract and lying in the north
19 line of said H.&T.C. R.R. Co. Survey, Sec. 111, A-172 and the common
20 south line of said Fred Eule Survey, Sect. 114, A- 374 and said
21 562.636 acre tract also being the apparent centerline of said
22 Beckendorf Road;
23 THENCE: S 87°59'11" W, 2591.53 feet with the common south line of
24 said Fred Eule Survey, Sect. 114, A-374 and said 562.636 acre tract,
25 the north line of said H.&T.C. R.R. Co. Survey, Sect. 111, A- 172
26 and the apparent centerline of said Beckendorf Road to the POINT OF
27 BEGINNING and containing 602.8 acres in Waller County, Texas.

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

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

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

15 (d) All requirements of the constitution and laws of this
16 state and the rules and procedures of the legislature with respect
17 to the notice, introduction, and passage of this Act are fulfilled
18 and accomplished.

19 SECTION 4. (a) Section 7902.0307, Special District Local
20 Laws Code, as added by Section 1 of this Act, takes effect only if
21 this Act receives a two-thirds vote of all the members elected to
22 each house.

23 (b) If this Act does not receive a two-thirds vote of all the
24 members elected to each house, Subchapter C, Chapter 7902, Special
25 District Local Laws Code, as added by Section 1 of this Act, is
26 amended by adding Section 7902.0307 to read as follows:

27 Sec. 7902.0307. NO EMINENT DOMAIN POWER. The district may

1 not exercise the power of eminent domain.

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

5 SECTION 5. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2021.