

By: Springer

S.B. No. 2250

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the East Collin County Municipal Utility District No. 1; granting a limited power of eminent domain; 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 F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7938A to read as follows:

CHAPTER 7938A. EAST COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7938A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the East Collin County Municipal Utility District No. 1.

Sec. 7938A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7938A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1 Sec. 7938A.0104. CONDITIONS PRECEDENT TO CONFIRMATION
2 ELECTION. (a) The temporary directors may not hold an election
3 under Section 7938A.0103 until:

4 (1) each municipality in whose corporate limits or
5 extraterritorial jurisdiction the district is located has
6 consented by ordinance or resolution to the creation of the
7 district and to the inclusion of land in the district; and

8 (2) the district has entered into a contract with a
9 municipality, Collin County, or another entity:

10 (A) for adequate supplemental police, fire, and
11 emergency services for the district; and

12 (B) that is approved by the Commissioners Court
13 of Collin County under Subsection (c).

14 (b) A contract under Subsection (a) may include a provision
15 that the contract takes effect only on the approval of the
16 Commissioners Court of Collin County and the voters in the district
17 voting in an election held for that purpose.

18 (c) The Commissioners Court of Collin County shall review a
19 contract under Subsection (a) and evaluate the supplemental police,
20 fire, and emergency services provided in the contract. If the
21 commissioners court determines that the contract provides adequate
22 services, the commissioners court shall adopt a resolution stating
23 that the contract has met the requirements of Subsection (a).

24 Sec. 7938A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

27 (1) a municipal utility district as provided by

1 general law and Section 59, Article XVI, Texas Constitution; and
2 (2) Section 52, Article III, Texas Constitution, that
3 relate to the construction, acquisition, improvement, operation,
4 or maintenance of macadamized, graveled, or paved roads, or
5 improvements, including storm drainage, in aid of those roads.

6 Sec. 7938A.0106. INITIAL DISTRICT TERRITORY. (a) The
7 district is initially composed of the territory described by
8 Section 2 of the Act enacting this chapter.

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

13 (1) organization, existence, or validity;

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

17 (3) right to impose a tax; or

18 (4) legality or operation.

19 SUBCHAPTER B. BOARD OF DIRECTORS

20 Sec. 7938A.0201. GOVERNING BODY; TERMS. (a) The district
21 is governed by a board of five elected directors.

22 (b) Except as provided by Section 7938A.0202, directors
23 serve staggered four-year terms.

24 Sec. 7938A.0202. TEMPORARY DIRECTORS. (a) On or after the
25 effective date of the Act enacting this chapter, the owner or owners
26 of a majority of the assessed value of the real property in the
27 district may submit a petition to the commission requesting that

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

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

5 (1) the date permanent directors are elected under
6 Section 7938A.0103; or

7 (2) the fourth anniversary of the effective date of
8 the Act enacting this chapter.

9 (c) If permanent directors have not been elected under
10 Section 7938A.0103 and the terms of the temporary directors have
11 expired, successor temporary directors shall be appointed or
12 reappointed as provided by Subsection (d) to serve terms that
13 expire on the earlier of:

14 (1) the date permanent directors are elected under
15 Section 7938A.0103; or

16 (2) the fourth anniversary of the date of the
17 appointment or reappointment.

18 (d) If Subsection (c) applies, the owner or owners of a
19 majority of the assessed value of the real property in the district
20 may submit a petition to the commission requesting that the
21 commission appoint as successor temporary directors the five
22 persons named in the petition. The commission shall appoint as
23 successor temporary directors the five persons named in the
24 petition.

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 7938A.0301. GENERAL POWERS AND DUTIES. The district
27 has the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 7938A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
3 DUTIES. The district has the powers and duties provided by the
4 general law of this state, including Chapters 49 and 54, Water Code,
5 applicable to municipal utility districts created under Section 59,
6 Article XVI, Texas Constitution.

7 Sec. 7938A.0303. AUTHORITY FOR ROAD PROJECTS. Under
8 Section 52, Article III, Texas Constitution, the district may
9 design, acquire, construct, finance, issue bonds for, improve,
10 operate, maintain, and convey to this state, a county, or a
11 municipality for operation and maintenance macadamized, graveled,
12 or paved roads, or improvements, including storm drainage, in aid
13 of those roads.

14 Sec. 7938A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
15 road project must meet all applicable construction standards,
16 zoning and subdivision requirements, and regulations of each
17 municipality in whose corporate limits or extraterritorial
18 jurisdiction the road project is located.

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

24 (c) If the state will maintain and operate the road, the
25 Texas Transportation Commission must approve the plans and
26 specifications of the road project.

27 (d) The district shall maintain all roads that the district

1 constructs except for roads constructed by the district that
2 another governmental entity agrees to maintain.

3 Sec. 7938A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
4 ORDINANCE OR RESOLUTION. The district shall comply with all
5 applicable requirements of any ordinance or resolution that is
6 adopted under Section 54.016 or 54.0165, Water Code, and that
7 consents to the creation of the district or to the inclusion of land
8 in the district.

9 Sec. 7938A.0306. LIMITATION ON USE OF EMINENT DOMAIN. The
10 district may not exercise the power of eminent domain outside the
11 district boundaries to acquire a site or easement for:

12 (1) a recreational facility, as defined by Section
13 49.462, Water Code; or

14 (2) a road project authorized by Section 7938A.0303.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 7938A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
17 The district may issue, without an election, bonds and other
18 obligations secured by:

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

20 (2) contract payments described by Section
21 7938A.0403.

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

26 (c) The district may not issue bonds payable from ad valorem
27 taxes to finance a road project unless the issuance is approved by a

1 vote of a two-thirds majority of the district voters voting at an
2 election held for that purpose.

3 Sec. 7938A.0402. OPERATION AND MAINTENANCE TAX. (a) If
4 authorized at an election held under Section 7938A.0401, the
5 district may impose an operation and maintenance tax on taxable
6 property in the district in accordance with Section 49.107, Water
7 Code.

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

10 Sec. 7938A.0403. CONTRACT TAXES. (a) In accordance with
11 Section 49.108, Water Code, the district may impose a tax other than
12 an operation and maintenance tax and use the revenue derived from
13 the tax to make payments under a contract after the provisions of
14 the contract have been approved by a majority of the district voters
15 voting at an election held for that purpose.

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

19 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

20 Sec. 7938A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
21 OBLIGATIONS. The district may issue bonds or other obligations
22 payable wholly or partly from ad valorem taxes, impact fees,
23 revenue, contract payments, grants, or other district money, or any
24 combination of those sources, to pay for any authorized district
25 purpose.

26 Sec. 7938A.0502. TAXES FOR BONDS. At the time the district
27 issues bonds payable wholly or partly from ad valorem taxes, the

1 board shall provide for the annual imposition of a continuing
2 direct ad valorem tax, without limit as to rate or amount, while all
3 or part of the bonds are outstanding as required and in the manner
4 provided by Sections 54.601 and 54.602, Water Code.

5 Sec. 7938A.0503. BONDS FOR ROAD PROJECTS. At the time of
6 issuance, the total principal amount of bonds or other obligations
7 issued or incurred to finance road projects and payable from ad
8 valorem taxes may not exceed one-fourth of the assessed value of the
9 real property in the district.

10 SECTION 2. The East Collin County Municipal Utility
11 District No. 1 initially includes all the territory contained in
12 the following area:

13 TRACT 1 PROPERTY DESCRIPTION:

14 BEING 183.834 acres of land situated in the H. Walters
15 Survey, Abstract No. 958, Collin County, Texas and being all of a
16 183.753 acre tract of land described in a Deed of Trust executed by
17 Carl Raymond Montgomery and wife, Rheda Beth Montgomery to Paul
18 Bennett or James Blakey, trustees, recorded in Volume 2292, Page
19 279 of the Deed Records of Collin County, Texas (DRCCT) and this
20 tract being more particularly described as follows:

21 BEGINNING at a point for corner in a Bois D'Arc tree in the
22 south line of a 73.279 acre tract described in a Deed to Marilyn
23 Rice, recorded in Volume 1732, Page 369 (DRCCT), at the northwest
24 corner of said 183.753 acre tract common to the northeast corner of
25 a 43.635 acre tract of land described in a Deed to Raymon Webb
26 Montgomery and Christa Carol Montgomery, recorded as Instrument
27 No. 20131125001578440 (DRCCT), from which a steel fence post found

1 for reference bears South 02°54'15" East a distance of 3.23 feet;

2 THENCE South 89°54'18" East, along the north line of said
3 183.753 acre tract common to the south line of said 73.279 acre
4 tract, a distance of 372.95 feet, to a 5/8" iron rod with a yellow
5 cap, stamped "RPLS 3963", set at an angle point thereof;

6 THENCE South 89°57'56" East, along the north line of said
7 183.753 acre tract common to the south lines of said 73.279 acre
8 tract and the south line of a 33.279 acre tract of land described in
9 a Deed to Amy Warren, recorded as Instrument No. 20080812000981780
10 (DRCCT), a distance of 1003.73 feet, to a 5/8" iron rod found for
11 corner near the center of a creek at an exterior ell corner of said
12 183.753 acre tract common to an interior ell corner of said 33.279
13 acre tract;

14 THENCE Southeasterly, along the common lines of said 183.753
15 acre tract and 33.279 acre tract, the following courses:

16 South 00°09'50" West, a distance of 65.91 feet, to a 5/8" iron
17 rod found for corner;

18 South 75°09'08" East, a distance of 718.73 feet, to a point
19 for corner in a west line of a 36.1891 acre tract described in a Deed
20 to Gene Doc Sohn and Sun Young Choi, husband and wife, and
21 Kyoungjoon Cho and Eun Young Choi, husband and wife, recorded as
22 Instrument No. 20141113001243240 (DRCCT) at the northeast corner
23 of said 183.753 acre tract common to a south corner of said 33.279
24 acre tract, from which a 60D Nail, set for reference bears South
25 13°38'28" East a distance of 26.03 feet;

26 THENCE along the common lines of said 183.753 acre tract and
27 said 36.1891 acre tract, the following courses:

1 South 00°53'07" West, a distance of 32.60 feet, to a 5/8" iron
2 rod found for corner;

3 South 82°38'52" West, a distance of 22.40 feet, to a 5/8" iron
4 rod found for corner;

5 THENCE South 00°12'03" West, along an east line of said
6 183.753 acre tract common to the west lines of said 36.1891 acre
7 tract, a 50.001 acre tract described in a Deed to David Reeder and
8 wife, Becky Reeder, recorded as Instrument No. 92-0071701 (DRCCT),
9 and Spencers Estates Addition, an Addition to Collin County,
10 Texas, recorded in Cabinet H, Slide 622 of the Plat Records of
11 Collin County, Texas (PRCCT), respectively, a distance of 3528.84
12 feet, to a 1/2" iron rod found for corner in the north right-of-way
13 line of FM 1778 (a 90' a right-of-way) at the southeast corner of
14 said 183.753 acre tract common to the southwest corner of last
15 mentioned Addition;

16 THENCE South 86°40'47" West, along a south line of said
17 183.753 acre tract common to the north right-of-way line of said FM
18 1778, a distance of distance of 430.99 feet, to a 5/8" iron rod with
19 a yellow cap, stamped "RPLS 3963", set for corner at an exterior ell
20 corner of said 183.753 acre tract common to the southeast corner of
21 a 2.00 acre tract described in a Deed to Raymon W. Montgomery,
22 recorded in Volume 2990, Page 495 (DRCCT);

23 THENCE along common lines of said 183.753 acre tract and said
24 2.00 acre tract, the following courses:

25 North 00°42'56" West, a distance of 540.84 feet, to a 5/8"
26 iron rod found for corner;

27 South 85°10'46" West, a distance of 161.95 feet, to a 1/2"

1 iron rod found for corner;

2 South 00°43'58" East, a distance of 540.10 feet, to a 5/8"
3 iron rod with a yellow cap, stamped "RPLS 3963", set for corner in
4 the north right-of-way line of said FM 1778 at an exterior ell
5 corner of said 183.753 acre tract common to the southwest corner of
6 said 2.00 acre tract;

7 THENCE along the common lines of said 183.753 acre tract and
8 the right-of-way lines of said FM 1778, the following courses:

9 South 85°09'47" West, a distance of 358.92 feet, to a 5/8"
10 iron rod found for corner at the beginning of a tangent curve to the
11 right, having a radius of 2820.26 feet, and a chord which bears
12 South 87°45'47" West a distance of 255.85 feet;

13 Southwesterly, along said curve to the right, having a
14 central angle of 05°11'58", an arc distance of 255.94 feet, to a 5/8"
15 iron rod with yellow cap, stamped "RPLS 3963", set for corner;

16 North 89°38'11" West, a distance of 76.11 feet, to a 5/8" iron
17 rod found for corner at the southeast corner of a tract of land
18 described in a Deed to First Baptist Church of Copeville, recorded
19 in Volume 900, Page 353 (DRCCT);

20 THENCE along the common lines of said 183.753 acre tract and
21 said First Baptist Church of Copeville tract, the following
22 courses:

23 North 02°55'02" East, a distance of 307.96 feet, to a 5/8"
24 iron rod with a yellow plastic cap, stamped "RPLS 3963", set for
25 corner;

26 North 89°45'11" West, a distance of 517.40 feet, to a wooden
27 fence post found for corner at the most eastern southeast corner of

S.B. No. 2250

1 said 43.635 acre tract common to the northwest corner of said First
2 Baptist Church of Copeville tract;

3 THENCE along the common lines of said 183.753 acre tract and
4 said 43.635 acre tract, the following courses;

5 North 63°55'42" West, a distance of 546.96 feet, to a 5/8"
6 iron rod found for corner;

7 North 19°42'16" West, a distance of 246.95 feet, to a point
8 for corner from which an iron axle found for reference bears North
9 47°16'17" West, a distance of 4.36 feet;

10 North 88°17'53" East, a distance of 21.83 feet, to a 3/4" iron
11 pipe found for corner;

12 North 05°29'46" East, a distance of 3124.24 feet, to THE POINT
13 OF BEGINNING and containing 8,007,806 square feet, or 183.834 acres
14 of land.

15 TRACT 2 PROPERTY DESCRIPTION:

16 BEING 43.704 acres of land situated in the H. Walters Survey,
17 Abstract No. 958, Collin County, Texas and being all of a 43.635
18 acre tract of land described in a Deed to Raymon Webb Montgomery and
19 Christa Carol Montgomery, recorded as Instrument
20 No. 20131125001578440 of the Deed Records of Collin County, Texas
21 (DRCCT) and this tract being more particularly described as
22 follows:

23 BEGINNING at a 3/8" iron rod found in the east right-of-way
24 line of Burlington Northern & SF Rail Road at the northwest corner
25 of said 43.635 acre tract common to the southwest corner of a 73.279
26 acre tract of land described in a Deed to Marilyn Rice, recorded in
27 Volume 1732, Page 369, (DRCCT);

1 THENCE South 89°23'59" East, along the north line of said
2 43.635 acre tract common to the south line of said 73.279 acre
3 tract, a distance of 557.73 feet, to a point for corner in a Bois
4 D'Arc tree at the northeast corner of said 43.635 acre tract common
5 to the northwest corner of a 183.753 acre tract of land described in
6 a Deed of Trust executed by Carl Raymond Montgomery and wife, Rheda
7 Beth Montgomery to Paul Bennett or James Blakey, trustees, recorded
8 in Volume 2292, Page 279 (DRCCT), from which a steel fence post
9 found for reference bears South 02°54'15" East a distance of 3.23
10 feet;

11 THENCE along the common lines of said 43.635 acre tract and
12 said 183.753 acre tract, the following courses:

13 South 05°29'46" West, a distance of 3124.24 feet, to a 3/4"
14 iron pipe found for corner;

15 South 88°17'53" West, a distance of 21.83 feet, to a point for
16 corner from which an iron axle found for reference bears North
17 47°16'17" West a distance of 4.36 feet;

18 South 19°42'16" East, a distance of 246.95 feet, to a 5/8"
19 iron rod found for corner;

20 South 63°55'42" East, a distance of 546.96 feet, to a wooden
21 fence post found for corner at the most eastern southeast corner of
22 said 43.635 acre tract common to the northwest corner of a tract of
23 land described in a Deed to First Baptist Church of Copeville,
24 recorded in Volume 900, Page 353 (DRCCT);

25 THENCE South 02°37'47" West, along a southeast line of said
26 43.635 acre tract common to the west line of said First Baptist
27 Church of Copeville tract, a distance of 321.86 feet, to a point for

S.B. No. 2250

1 corner near the base of a wood highway marker in the north
2 right-of-way line of FM 1778 (a 60' right-of-way at this point going
3 west), at the most southern southeast corner of said 43.635 acre
4 tract;

5 THENCE North 89°38'13" West, along a south line of said 43.635
6 acre tract common to the north right-of-way line of said FM 1778, a
7 distance of 282.00 feet, to a point for corner at a south corner of
8 said 43.635 acre tract common to the southeast corner of a 8.22 acre
9 tract of land described in a Deed to Susan Annie Potter and Jon
10 Trace Hailey, recorded as Instrument No. 20101102001194000
11 (DRCCT), from which a 1/2" iron rod found for reference bears North
12 20°20'21" West a distance of 1.42 feet;

13 THENCE North 20°20'21" West, along a southwest line of said
14 43.635 acre tract common to the northeast line of said 8.22 acre
15 tract, a distance of 860.95 feet, to a wood fence post found at a
16 common corner thereof;

17 THENCE South 89°34'33" West, along a south line of said 43.635
18 acre tract common to the north line of said 8.22 acre tract, a
19 distance of 617.61 feet, to a 5/8" iron rod found for corner at a
20 common west corner thereof and being in the east right-of-way line
21 of said Burlington Northern & SF Rail Road, said point being in a
22 curve to the left, having a radius of 1960.08 feet and a chord which
23 bears North 15°08'31" East a distance of 671.75 feet;

24 THENCE Northeasterly, along the west lines of said 43.635
25 acre tract common to the east right-of-way lines of said Burlington
26 Northern & SF Rail Road, the following courses:

27 Northeasterly with said curve to the left, having a central

1 angle of 19°44'01", an arc distance of 675.09 feet, to the point of
2 tangent;

3 North 05°16'30" East, a distance of 2468.30 feet, to THE POINT
4 OF BEGINNING and containing 1,903,758 square feet, or 43.704 acres
5 of land.

6 TRACT 3 PROPERTY DESCRIPTION:

7 BEING 2.002 acres of land situated in the H. Walters Survey,
8 Abstract No. 958, Collin County, Texas and being all of a 2.00 acre
9 tract of land described in a Deed to Raymon W. Montgomery, recorded
10 in Volume 2990, Page 495 of the Deed Records of Collin County, Texas
11 (DRCCT) and this tract being more particularly described as
12 follows:

13 BEGINNING at a 5/8" iron rod with a yellow cap, stamped "RPLS
14 3963", set for corner in the north right-of-way line of FM 1778 (a
15 90' right-of-way) at the southeast corner of said 2.00 acre tract
16 common to an exterior ell corner of a 183.753 acre tract of land
17 described in a Deed of Trust executed by Carl Raymond Montgomery and
18 wife, Rheda Beth Montgomery to Paul Bennett or James Blakey,
19 trustees, recorded in Volume 2292, Page 279 (DRCCT);

20 THENCE Southwesterly along the south lines of said 2.00 acre
21 tract common to the north right-of-way lines of said FM 1778, the
22 following courses:

23 South 86°40'47" West, a distance of 29.08 feet, to a 5/8" iron
24 rod with a yellow cap, stamped "RPLS 3963", set for corner;

25 South 85°09'47" West, a distance of 132.67 feet, to a 5/8"
26 iron rod with a yellow cap, stamped "RPLS 3963", set for corner at
27 the southwest corner of said 2.00 acre tract common to an exterior

1 ell corner of said 183.753 acre tract;

2 THENCE along the common lines of said 2.00 acre and 183.753
3 acre tracts, the following courses:

4 North 00°43'58" West, a distance of 540.10 feet, to a 1/2"
5 iron rod found for corner;

6 North 85°10'46" East, a distance of 161.95 feet, to a 5/8"
7 iron rod found for corner;

8 South 00°42'56" East, a distance of 540.84 feet, to THE POINT
9 OF BEGINNING and containing 87,213 square feet, or 2.002 acres of
10 land.

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

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

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

25 (d) All requirements of the constitution and laws of this
26 state and the rules and procedures of the legislature with respect
27 to the notice, introduction, and passage of this Act are fulfilled

1 and accomplished.

2 SECTION 4. (a) Section 7938A.0306, Special District Local
3 Laws Code, as added by Section 1 of this Act, takes effect only if
4 this Act receives a two-thirds vote of all the members elected to
5 each house.

6 (b) If this Act does not receive a two-thirds vote of all the
7 members elected to each house, Subchapter C, Chapter 7938A, Special
8 District Local Laws Code, as added by Section 1 of this Act, is
9 amended by adding Section 7938A.0306 to read as follows:

10 Sec. 7938A.0306. NO EMINENT DOMAIN POWER. The district may
11 not exercise the power of eminent domain.

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

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