

House Bill 4652
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7939A to read as follows:

CHAPTER 7939A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 208

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7939A.0101. DEFINITIONS. In this chapter:

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

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

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

(4) "Director" means a board member.

(5) "District" means the Montgomery County Municipal Utility District No. 208.

Sec. 7939A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7939A.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.

Sec. 7939A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7939A.0103 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 7939A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

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(b) The district is created to accomplish the purposes of:
(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.
Sec. 7939A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.
(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:
(1) organization, existence, or validity;
(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;
(3) right to impose a tax; or
(4) legality or operation.
Sec. 7939A.0107. EFFECT OF ANNEXATION. Notwithstanding any other law, if all or part of the territory of the district is annexed by the city into the city's corporate limits, the district:
(1) retains all of the district's outstanding debt and obligations; and
(2) is not dissolved.
SUBCHAPTER B. BOARD OF DIRECTORS
Sec. 7939A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.
(b) Except as provided by Section 7939A.0202, directors serve staggered four-year terms.

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Sec. 7939A.0202. TEMPORARY DIRECTORS. (a) On or after September 1, 2021, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 7939A.0103; or

(2) September 1, 2025.

(c) If permanent directors have not been elected under Section 7939A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7939A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7939A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7939A.0302. MUNICIPAL UTILITY DISTRICT

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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. 7939A.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. 7939A.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 specifications of the road project.

Sec. 7939A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

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Sec. 7939A.0306. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

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

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

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

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 7939A.0103 to confirm the district's creation.

(f) An order dividing the district shall:

- (1) name each new district;
- (2) include the metes and bounds description of the territory of each new district;
- (3) appoint temporary directors for each new district; and
- (4) provide for the division of assets and liabilities between or among the new districts.

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

(h) Any new district created by the division of the district shall hold a confirmation and directors' election as required by

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Section 7939A.0103. If the voters of a new district do not confirm the creation of the new district, the assets, obligations, territory, and governance of the new district revert to the original district.

(i) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 7939A.0104 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
Sec. 7939A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7939A.0403.

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

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

Sec. 7939A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7939A.0401, the district may impose an operation and maintenance tax on taxable property in the district in

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accordance with Section 49.107, Water Code.

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

Sec. 7939A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7939A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7939A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7939A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

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SECTION 2. The Montgomery County Municipal Utility District No. 208 initially includes all the territory contained in the following area:

Those four (4) tracts of land described as follows:

(a) CONROE TRACT ONE.

Being forty-seven and nine hundred thirty-two-thousandths (47.932) acres of land in the James Edwards Survey, A-190, Montgomery County, Texas, also being a part of the J. W. Spiller tract in same and being more particularly described by metes and bounds as follows, to-wit.

Beginning on the South boundary line of White Oak Manor Subdivision as shown in Volume 9, Page 46, Map Records, and being at a point S. 61° 32' 50" W. 655.3 ft. and N. 76° 32' 45" W. 218.03 ft. from the most Easterly corner of said Subdivision, an iron pipe for corner in fence;

Thence N. 76° 32' 45" W. 1383.23 ft. along the South line of White Oak Manor Subdivision to an iron pipe for corner;

Thence S. 13° 27' 15" W. 1094.77 ft. to an iron pipe for corner;

Thence S. 76° 32' 45" E. 1601.26 ft. to an iron pipe for corner;

Thence N. 61° 32' 50" E. 1371.02 ft to an iron pipe for corner in the West line of Longmire Road;

Thence N. 27° 21' 50" W. 339.35 ft. along the West line of Longmire Road to an iron pipe for corner;

Thence S. 88° 52' 05" W. 600.17 ft. to an iron pipe for corner;

Thence S. 21° 02' 10" E. 126.31 ft. to an iron pipe for corner;

Thence S. 72° 28' 26" W. 552.9 ft. to an iron pipe for corner;

Thence N. 3° 00' 24" E. 662.55 ft. to the place of beginning.

(b) CONROE TRACT TWO:

All that certain tract or parcel of land out of the Robert Marsh

SECTION 2. Same as House version.

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Survey A-355, and James Edwards Survey A-189, in Montgomery County, Texas being a portion of that certain tract of land conveyed to J. W. Spiller and wife by deed recorded in Volume 488, Page 309, of the deed records of Montgomery County, Texas, said tract of land being more particularly described by metes and bounds as follows:

Beginning at a 3/4" iron pipe in the North line of the B. D. Griffin 424.53 acre tract and at the Southwest corner of that certain tract of land conveyed to W. S. Lampton Jr by deed recorded in Volume 665, Page 538, for the Southeast corner hereof, from which a 12" Elm marked X bears N 45° 00' W, 26.8 ft. and a 14" Ash marked X bears N 10° 30' E, 36.8 ft.;

THENCE: Along the B. D. Griffin North line S 74° 49' 52" W, for a distance of 1624.6 ft. to a 1/2" iron rod for the Southeast corner of a 10.15 acre San Jacinto River Authority tract and the Southwest corner hereof;

THENCE: Along the West line of the said San Jacinto River Authority tract N 25° 06' 20" W. for a distance of 1186.30 ft. to a yellow painted stake on the East bank of the San Jacinto River;

THENCE: Along the East bank of the San Jacinto River the following courses:

- (1) N 4° 07' E, 67.38 ft. to a yellow stake;
- (2) N 25° 34' 17" E 59.58 ft. to a yellow stake;
- (3) N 59° 49' 55" E, 117.87 ft. to a yellow stake;
- (4) N 26° 41' 17" E, 191.76 ft. to a yellow stake;
- (5) N. 23° 46' 46" W, 50.44 ft. to a 1/2" iron stake in the North line hereof;

THENCE: N 62° 01' 12" E, along the North line hereof for a distance of 1573.79 ft. to a 3/4" iron pipe at the Northwest corner of the aforementioned W. S. Lampton tract and the Northeast corner hereof, from which a 14" Sweet Gum

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marked X bears S 66° 45" E, 197.5 ft. and a 10" Red Oak marked X bears S 75° 30' E, 212.9 ft.;

THENCE: Along the West line of the said Lampton tract S 15° 08' 51" E. for a distance of 1849.4 ft. to the place of beginning and containing 65.153 acres of land.

(c) CONROE TRACT THREE:

Being 7.5 acres of land in the James Edwards Survey, Abstract No. 190 in Montgomery County, Texas, and being the North 1/2 of that certain 15 acre tract described in Volume 646, Page 52 of the Deed Records of Montgomery County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at the northwest corner of the above mentioned 15 acre tract a stake for corner in the center of a 60 foot roadway from which a 5/8" iron rod bears South 15° 09' East 30 feet;

THENCE North 74° 56' East 705.6 feet along the center line of the above mentioned 60 foot roadway and the North line of said 15 acre tract to the Northeast corner of said 15 acre tract being the northeast corner of the tract here described;

THENCE South 27° 37' East 444.0 feet along the East line of said 15 acre tract and the West line of Longmire Road to the 5/8" iron rod for the Southeast corner of the tract here described;

THENCE South 74° 56' West 802.5 feet to a 5/8" iron rod for corner in the West line of said 15 acre tract for the Southwest corner of the tract here described;

THENCE North 15° 04' West 433.4 feet along the West line of said 15 acre tract to the PLACE OF BEGINNING.

(d) CONROE TRACT FOUR:

All that certain tract or parcel of land in the JAMES EDWARDS SURVEY, ABSTRACT 190, the JAMES

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EDWARDS SURVEY, ABSTRACT 189, and the ROBERT MARSH SURVEY, ABSTRACT 355, Montgomery County, Texas, and being the same premises conveyed by J. W. Spiller, et ux. to W. S. Lampton, Jr., Trustee, by Deed dated July 8, 1968, recorded in Volume 665, Page 538, Deed Records of Montgomery County, Texas, and being more particularly described by metes and bounds as follows, to-wit. BEGINNING at the most Northeasterly corner of a 625 acre tract of land conveyed by J. W. Spiller to John Ben Williamson, by Deed dated September 22, 1960, recorded in Volume 488, Page 313, Deed Records of Montgomery County, Texas, said corner being in the center of Longmire Road;

THENCE South 74 degrees 54 minutes West 2378.8 feet along the North line of above mentioned 625 acre tract to the North Boundary Line of the Robert Marsh Survey, an iron pipe for corner from which a 12 inch Pine bears South 51 degrees 30 minutes West 8.4 feet, a 5 inch Red Oak bears South 11 degrees 30 minutes East 3.0 Feet, and an 11 inch Red Oak bears South 82 degrees 30 minutes East 19.0 feet;

THENCE North 74 degrees 35 minutes 15 seconds West 2222.6 feet along the North boundary of the Marsh and the South Line of the upper James Edwards Survey, to an iron pipe for corner from which a 34 inch Pine bears South 37 degrees 30 minutes West 55 4 feet and a 10 inch Pine bears North 37 degrees East 64.4 feet, this corner also being a corner of a 625 acre tract;

THENCE South 75 degrees 00 minutes West 5363.8 feet along the North boundary of 625 acre tract to a 3/4 inch iron pipe for corner at a point North 75 degrees East 2090.98 feet from the Northwest corner of 625 acre tract, a 10 inch Elm bears North 47 degrees West 26.0 feet and a 12 inch Ash

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bears North 10 degrees East 36.8 feet;
THENCE North 15 degrees 02 minutes 30 seconds West 1849.6 feet to a 3/4 inch iron pipe for corner from which a 40 inch Pin Oak bears South 44 degrees 37 minutes East 214.0 feet and a 14 inch Sweet Gum bears South 36 degrees 36 minutes East 197.7 feet, this corner being in the Southeast Line of the San Jacinto River Authority 87.22 acre tract;
THENCE North 62 degrees 08 minutes 50 seconds East 1669.22 feet along the South line of 87.22 acre tract to the East Corner of same, a 3/4 inch iron pipe for corner from which a 36 inch Pin Oak bears North 86 degrees West 19.5 feet;
THENCE South 73 degrees 24 minutes 40 seconds East 1665.34 feet along the South line of the M. E. Paddock 226 acres and the South line of the M. L. Duke 27 acres to an axle for the Southeast Corder of the Duke track;
THENCE North 16 degrees 09 minutes East 2027.2 feet along Duke a East line to an axle for corner;
THENCE North 82 degrees 23 minutes 15 seconds East 1716.09 feet along the South line of the Calfee 22.8 acre tract to a stake for the Southeast Corner of same. an old axle bears South 82 degrees 25 minutes West 1.5 feet;
THENCE South 13 degrees 23 minutes West 778.43 feet along the West line of the Al Goode 88.356 acre tract to a 10 inch creosote post for the Southwest Corner of same. a 10 inch Hickory bears North 05 degrees East 22.0 feet and a 6 inch Red Oak bears South 65 degrees West 14.0 feet.
THENCE South 76 degrees 32 minutes 45 seconds East 2033.39 feet along Goode's South Line to a 3/4 inch iron pipe for the Northwest Corner of the Spiller 59.195 acre tract.
THENCE South 13 degrees 27 minutes 15 seconds West 1094.77 feet to a 3/4 inch iron pipe for the Southwest Corder

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of the Spiller 59.195 acre tract.

THENCE South 76 degrees 32 minutes 45 seconds East 1601.26 feet to a 3/4 inch iron pipe for the most Southerly corner of the Spiller 59.195 acre tract;

THENCE North 61 degrees 32 minutes 50 seconds East at 1370.97 feet pass a 2 inch iron pipe in the West side of a blacktop road and continue in all 1395.57 feet to a point in center of said blacktop road for the Southeast corner of Spiller 59.195 acre tract;

THENCE South 27 degrees 21 minutes 50 seconds East 950.52 feet along center of said blacktop road to the place of BEGINNING, and containing 410.539 acres of land.

Less and Except

Pine Valley Drive, a subdivision of 14.684 acres of land in the James Edwards Survey A-190, Montgomery County, Texas as per the dedication plat dated February 28, 2017, Document #2017016271, Cabinet 00Z, Sheet 4409.

Less and Except

20.000 ACRES

871,200 SQUARE FEET

JAMES EDWARDS SURVEY

ABSTRACT NO. 190

MONTGOMERY COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 20.000 acre (871,200 square foot) tract of land located in the James Edwards Survey, Abstract Number 190, Montgomery County, Texas and said 20.000 acre tract of land being out of and a part of the southerly remainder of Conroe Tract One, a called 47.932 acre tract and the remainder of Conroe Tract Four, a called 410.539 acre tract described in the deed to Conroe Venture, Ltd., recorded under Montgomery County Clerk's File Number (M.C.C.F. No.) 9149317, said 20.000 acre tract being

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more particularly described by metes and bounds as follows:
(The bearings described herein are oriented to the Texas
Coordinate System, South Central Zone, NAD 1983.)

COMMENCING at the easterly end of a curved cut-back for
the southwest corner of the intersection of the southwesterly
Right-of-Way (R.O.W.) line of Longmire Road (based on a
variable width) recorded under Volume (Vol.) 665, Page (Pg.)
538 of the Montgomery County Deed Records (M.C.D.R.),
Cabinet "N", Sheet 65 of the Montgomery County Plat
Records (M.C.P.R.) and M.C.C.F. Nos. 2002-051191, 2009-
013167, 2012-011629, 2012-0116630 and 2012-011632 and
the southerly R.O.W. line of Pine Valley Drive (based on a
variable width) recorded under File No. 2017016271
M.C.P.R., from which a 5/8-inch iron rod with cap stamped
"Jeff Moon RPLS 4639" found bears, South 80 degrees 52
minutes West, 1.31 feet;

THENCE, in a northwesterly direction, along a curve to the
left, along said curved cut-back, having a radius of 25.00 feet,
a central angle of 91 degrees 06 minutes 39 seconds (chord
bears, North 75 degrees 11 minutes 42 seconds West, 35.70
feet) and an arc distance of 39.75 feet, to the westerly end of
said curved cut-back;

THENCE, South 59 degrees 14 minutes 58 seconds West,
departing the southwesterly R.O.W. line of aforesaid
Longmire Road and along the southerly R.O.W. line of
aforesaid Pine Valley Drive, a distance of 289.13 feet, to the
beginning of a tangent curve to the right in said southerly
R.O.W. line of said Pine Valley Drive;

THENCE, in a southwesterly direction, along a curve said the
right, continuing along the southerly R.O.W. line of said Pine
Valley Drive, having a radius of 1,254.00 feet, a central angle
of 10 degrees 02 minutes 54 seconds (chord bears, South 64

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degrees 16 minutes 25 seconds West, 219.64 feet) and an arc distance of 219.92 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking the POINT OF BEGINNING and the northeast corner of the herein described tract;

THENCE, South 18 degrees 32 minutes 04 seconds East, departing the southerly R.O.W. line of said Pine Valley Drive and over and across aforesaid remainder of a called 410.539 acre tract, a distance of 620.93 feet, to a 1/2-inch iron rod found in the southerly line of said remainder of a called 410.539 acre tract and marking the northwest corner of Conroe Tract Three, a called 7.5 acre tract described in the deed to Conroe Venture, Ltd., recorded under M.C.C.F. No. 9149317, and the northeast corner of the called 3.979 acre tract described in the deed to Charles P. Peters, III and wife, Judith S. Peters, recorded under M.C.C.F. No. 9143598 and the southeast corner of the herein described tract;

THENCE, South 71 degrees 30 minutes 55 seconds West, along the southerly line of said remainder of a called 410.539 acre tract, a distance of 1,225.27 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the northerly line of the called 7.4806 acre tract described in the deed to William Lewis Pattillo, III and wife, Theresa Marcelle Pattillo recorded under M.C.C.F. No. 2005-137433 common with the northerly line of said remainder of a called 410.539 acre tract and marking the southwest corner of the herein described tract;

THENCE, North 18 degrees 29 minutes 05 seconds West, departing said common line and over and across said remainder of a called 410.539 acre tract, a distance of 504.76 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set marking an angle in the

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westerly line of the herein described tract;
THENCE, North 22 degrees 10 minutes 43 seconds East, continuing over and across said remainder of a called 410.539 acre tract and over and across aforesaid southerly remainder of a called 47.932 acre tract, a distance of 551.06 feet, to a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" set in the southerly R.O.W. line of aforesaid Pine Valley Drive and marking an the beginning of a non-tangent curve to the left and the northwest corner of the herein described tract;
THENCE, in an easterly direction, along said curve to the left, having a radius of 1,254.00 feet, a central angle of 42 degrees 52 minutes 51 seconds (chord bears, South 89 degrees 15 minutes 42 seconds East, 916.76 feet) and an arc distance of 938.51 feet, to the POINT OF BEGINNING and containing a computed area of 20.000 acres (871,200 square feet) of land as depicted on the Land Title Survey dated: August 2, 2019, prepared by West Belt Surveying, Inc., Project No. S945-0004A.

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

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SECTION 3. Same as House version.

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filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

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

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7939A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7939A.0307 to read as follows:

Sec. 7939A.0307. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

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

SECTION 5. This Act takes effect September 1, 2021.

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SECTION 4. Same as House version.

SECTION 5. Same as House version.

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