

House Bill 4175
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. CERTAIN MUNICIPAL UTILITY DISTRICTS. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapters 7937, 7939, 7940, 7941, 7942, 7943, 7944, 7946, 7947, 7948, and 7949 to read as follows:

CHAPTER 7937. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 OF HARRIS COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7937.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 5 of Harris County.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7937.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7939. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 61

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7939.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 61.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7939.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this

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SECTION 1. Same as House version.

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section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7940. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7940.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 150.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7940.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7941. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 211 OF HARRIS COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

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Sec. 7941.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 211 of Harris County.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7941.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7942. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 483

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7942.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 483.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7942.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the

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power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7943. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 484

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7943.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 484.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7943.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7944. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 485

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7944.001. DEFINITION. In this chapter, "district" means the Harris County Municipal Utility District No. 485.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7944.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code,

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other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7946. LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7946.001. DEFINITION. In this chapter, "district" means the Liberty County Municipal Utility District No. 2.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7946.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7947. LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7947.001. DEFINITION. In this chapter, "district" means the Liberty County Municipal Utility District No. 3.

SUBCHAPTER B. POWERS AND DUTIES

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Sec. 7947.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7948. POST WOOD MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7948.001. DEFINITION. In this chapter, "district" means the Post Wood Municipal Utility District.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7948.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

CHAPTER 7949. WEST PARK MUNICIPAL UTILITY

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DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7949.001. DEFINITION. In this chapter, "district" means the West Park Municipal Utility District.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7949.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 2. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 8. Subchapter C, Chapter 8112, Special District Local Laws Code, is amended by adding Section 8112.103 to read as follows:

Sec. 8112.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section

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2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 3. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 9. Subchapter C, Chapter 8113, Special District Local Laws Code, is amended by adding Section 8113.103 to read as follows:

Sec. 8113.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 4. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 10. Subchapter C, Chapter 8114, Special District Local Laws Code, is amended by adding Section 8114.103 to read as follows:

Sec. 8114.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the

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requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 5. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 11. Subchapter C, Chapter 8115, Special District Local Laws Code, is amended by adding Section 8115.103 to read as follows:

Sec. 8115.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 6. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 12. Subchapter C, Chapter 8116, Special District Local Laws Code, is amended

SECTION 5. Same as House version.

SECTION 6. Same as House version.

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by adding Section 8116.103 to read as follows:

Sec. 8116.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 7. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 13. Subchapter C, Chapter 8117, Special District Local Laws Code, is amended by adding Section 8117.103 to read as follows:

Sec. 8117.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 7. Same as House version.

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SECTION 8. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 14. Subchapter C, Chapter 8118, Special District Local Laws Code, is amended by adding Section 8118.103 to read as follows:

Sec. 8118.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 9. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 100. Section 8119.103, Special District Local Laws Code, is amended to read as follows:

Sec. 8119.103. LIMITATION ON USE OF EMINENT DOMAIN. (a) The district may not exercise the power of eminent domain outside the district boundaries to acquire a site for a water treatment plant, water storage facility, wastewater treatment plant, or wastewater disposal facility.

(b) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b),

SECTION 8. Same as House version.

SECTION 9. Same as House version.

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Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(c) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (b).

SECTION 10. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 101. Section 8120.103, Special District Local Laws Code, is amended to read as follows:

Sec. 8120.103. LIMITATION ON USE OF EMINENT DOMAIN. (a) The district may not exercise the power of eminent domain outside the district boundaries to acquire a site for a water treatment plant, water storage facility, wastewater treatment plant, or wastewater disposal facility.

(b) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(c) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (b).

SECTION 10. Same as House version.

SECTION 11. ENCANTO REAL UTILITY DISTRICT.

SECTION 11. Same as House version.

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Subchapter C, Chapter 8161, Special District Local Laws Code, is amended by adding Section 8161.102 to read as follows:

Sec. 8161.102. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 12. LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 5. Subchapter C, Chapter 8185, Special District Local Laws Code, is amended by adding Section 8185.104 to read as follows:

Sec. 8185.104. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to

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SECTION 12. Same as House version.

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the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 13. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 3. Subchapter C, Chapter 8186, Special District Local Laws Code, is amended by adding Section 8186.103 to read as follows:

Sec. 8186.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 14. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 233 OF HARRIS COUNTY, TEXAS. Subchapter C, Chapter 8192, Special District Local Laws Code, is amended by adding Section 8192.103 to read as follows:

Sec. 8192.103. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code,

SECTION 13. Same as House version.

SECTION 14. Same as House version.

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other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 15. CNP UTILITY DISTRICT. Section 8270.153, Special District Local Laws Code, is amended to read as follows:

Sec. 8270.153. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain only:

- (1) in a county in which the district is located; and
- (2) when necessary to carry out the purposes for which the district was created.

(b) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(c) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (b).

SECTION 15. Same as House version.

SECTION 16. HARRIS COUNTY UTILITY DISTRICT

SECTION 16. Same as House version.

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NO. 16. Subchapter C, Chapter 8277, Special District Local Laws Code, is amended by adding Section 8277.102 to read as follows:

Sec. 8277.102. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 17. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 4. Subchapter C, Chapter 8308, Special District Local Laws Code, is amended by adding Section 8308.104 to read as follows:

Sec. 8308.104. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to

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the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

No equivalent provision.

SECTION __. Sections 8471.104 and 8471.105, Special District Local Laws Code, are amended to read as follows: [FA1; Deleted by FA1,3rd]

No equivalent provision.

SECTION __.Section 8471.103(c), Special District Local Laws Code, is repealed. [FA1; Deleted by FA1,3rd]

No equivalent provision.

SECTION __.Amended Section 8471.104 and Section 8471.105, Special District Local Laws Code, take effect September 1, 2015, but only if H.B. 3405, S.B. 1440, or similar legislation of the 84th Legislature, Regular Session, 2015, that enlarges the territory of the Barton Springs-Edwards Aquifer Conservation District to include the territory of the Needmore Ranch Municipal Utility District No. 1, becomes law. If such a bill does not become law, the changes to these provisions have no effect. [FA1; Deleted by FA1,3rd]

SECTION 18. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 119. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9066 to read as follows:

CHAPTER 9066. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 119

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9066.001. DEFINITION. In this chapter, "district" means the Harris County Water Control and Improvement

SECTION 18. Same as House version.

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District No. 119.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 9066.051. EMINENT DOMAIN. (a) The district may exercise the power of eminent domain as provided by this section only if the district submits a letter to the comptroller not later than December 31, 2015, in accordance with the requirements of Section 2206.101(b), Government Code, other than the requirement that the letter be submitted by the date specified by that section.

(b) Notwithstanding the expiration of the district's authority to exercise the power of eminent domain under Section 2206.101(c), Government Code, the district may exercise the power of eminent domain as provided by law applicable to the district on or after the 90th day after the date the district submits a letter in accordance with Subsection (a).

SECTION 19. EFFECTIVE DATE. As provided by Section 17(c), Article I, Texas Constitution, this Act takes effect only on a two-thirds vote of all the members elected to each house. If this Act receives the vote necessary to take effect, this Act takes effect September 1, 2015.

SECTION 19. EFFECTIVE DATE. (a) Except as provided by Subsection (b) of this section, and as provided by Section 17(c), Article I, Texas Constitution, this Act takes effect only on a two-thirds vote of all the members elected to each house. If this Act receives the vote necessary to take effect, this Act takes effect September 1, 2015. [FA3(2)]

(b) The SECTIONS of this Act that affect the law applicable to the Barton Springs-Edwards Aquifer Conservation District take effect immediately if the Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, those SECTIONS of this Act take effect September 1, 2015. [FA3(3)]

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No equivalent provision.

SECTION __. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3925 to read as follows:
CHAPTER 3925. SAINT GEORGE PLACE MANAGEMENT DISTRICT
SUBCHAPTER A. GENERAL PROVISIONS
Sec. 3925.001. DEFINITIONS. In this chapter:
(1) "Board" means the district's board of directors.
(2) "City" means the City of Houston.
(3) "County" means Harris County.
(4) "Director" means a board member.
(5) "District" means the Saint George Place Management District.
(6) "Zone" means the Tax Increment Reinvestment Zone No. One, City of Houston, Texas, designated by the city in Ordinance No. 90-1452, dated December 12, 1990.
Sec. 3925.002. NATURE OF DISTRICT. The Saint George Place Management District is a special district created under Section 59, Article XVI, Texas Constitution.
Sec. 3925.003. PURPOSE; DECLARATION OF INTENT.
(a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city, the county, and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.
(b) The creation of the district is necessary to promote, develop, encourage, and maintain commerce, transportation, housing, recreation, economic development, safety, and the public welfare in the district.
(c) This chapter and the creation of the district may not be interpreted to relieve the city or the county from providing the

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level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant city or county services provided in the district.

Sec. 3925.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

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

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

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

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

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

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

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for water, wastewater, drainage, road, sound barrier and security walls, recreational facilities, and city code enforcement for the district.

(e) Pedestrian ways along or across a street, whether at grade

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or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street and are considered to be a street or road improvement.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 3925.005. INITIAL DISTRICT TERRITORY. The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

Sec. 3925.006. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3925.007. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3925.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of nine voting directors.

(b) Except as provided by Section 3925.052, the directors of the zone are the voting directors of the board and their terms as directors of the district are coterminous with their terms as directors of the zone.

Sec. 3925.052. VOTING DIRECTORS IF ZONE DISSOLVED; TERMS. (a) If the zone is dissolved, the mayor and members of the governing body of the city shall appoint voting directors from persons recommended by the board. A person is appointed if a majority of the members of the governing body and the mayor vote to appoint that person.

(b) Directors appointed under Subsection (a) serve staggered terms of four years, with four or five directors' terms expiring June 1 of each odd-numbered year. The initial directors

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appointed under Subsection (a) shall establish the staggered terms of each initial director by lot.

Sec. 3925.053. NONVOTING DIRECTORS. The board may appoint nonvoting directors to serve at the pleasure of the voting directors.

Sec. 3925.054. VACANCY IF ZONE DISSOLVED. If a vacancy occurs on the board after the zone is dissolved, the remaining directors shall appoint a director for the remainder of the unexpired term.

Sec. 3925.055. QUORUM. For purposes of determining the requirements for a quorum of the board, the following are not counted:

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

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

(3) a nonvoting director.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3925.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3925.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using any money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3925.103. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation

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under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3925.104. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

(b) The district may enter into an agreement with the city to administer and enforce a city zoning ordinance applicable to the district in the territory of the district.

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

Sec. 3925.105. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county or the city, to provide law enforcement or security services in the district.

Sec. 3925.106. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 3925.107. ECONOMIC DEVELOPMENT. (a) The district may engage in activities that accomplish the economic development purposes of the district.

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

- (1) make loans and grants of public money; and
- (2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to

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municipalities by:

(1) Chapter 380, Local Government Code; and

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

Sec. 3925.108. APPROVAL BY CITY. (a) Except as provided by Subsection (c), the district must obtain the approval of the city for:

(1) the issuance of bonds that require the approval of the attorney general;

(2) the plans and specifications of an improvement project financed by bonds; and

(3) the plans and specifications of an improvement project related to the use of land owned by the city, an easement granted by the city, or a right-of-way of a street, road, or highway.

(b) The district may not issue bonds until the governing body of the city adopts a resolution or ordinance authorizing the issuance of the bonds.

(c) If the district obtains the approval of the governing body of the city of a capital improvements budget for a period not to exceed 10 years, the district may finance the capital improvements and issue bonds specified in the budget without further approval from the city.

(d) The governing body of the city:

(1) is not required to adopt a resolution or ordinance to approve plans and specifications described by Subsection (a); and

(2) may establish an administrative process to approve plans and specifications described by Subsection (a) without the involvement of the governing body.

Sec. 3925.109. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS: ASSESSMENTS

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Sec. 3925.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 3925.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3925.153. BUDGET; ASSESSMENTS. (a) The board shall approve an annual budget for the district based on anticipated assessment revenue.

(b) The board by resolution may impose and collect an assessment, for any purpose authorized by this chapter, using only the method described by this section.

(c) The board may impose an assessment in all or any part of the district at a rate of \$0.07 per square foot of taxable property, and may impose a supplemental annual assessment at a rate of \$300 per lot.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

(e) In a year in which the approved expenses in the annual budget exceed the district's annual revenue from all sources, the board may approve an increase to the rate of the supplemental annual assessment to accommodate the expenses if the percentage change in the amount of the supplemental annual assessment does not exceed:

(1) two percent for that year as compared to the previous year; or

(2) 10 percent over a five-year period.

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(f) The district may not approve a supplemental assessment under Section 375.122(1), Local Government Code, to pay costs of an improvement project or service if the additional costs that are the subject of the supplemental assessment exceed 25 percent of the original total cost of the improvement project or service.

(g) A provision of this subchapter regarding an assessment prevails over a conflicting provision of Chapter 375, Local Government Code, as provided by Section 3925.006.

Sec. 3925.154. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement for all or part of the district has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 3925.155. LIENS FOR ASSESSMENTS. (a) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

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(b) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid.
Sec. 3925.156. RESIDENTIAL PROPERTY NOT EXEMPT.
Section 375.161, Local Government Code, does not apply to the district.
Sec. 3925.157. ASSESSMENT ABATEMENT. The district may designate reinvestment zones and may grant abatements of assessments on property in the zones.
Sec. 3925.158. NO IMPACT FEES. The district may not impose an impact fee.
Sec. 3925.159. NO AD VALOREM TAX. The district may not impose an ad valorem tax.
SUBCHAPTER E. BONDS
Sec. 3925.201. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board.
(b) The district may issue bonds, notes, or other obligations payable wholly or partly from assessments, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose.
Sec. 3925.202. CITY NOT REQUIRED TO PAY DISTRICT OBLIGATIONS. Except as provided by Section 375.263, Local Government Code, the city is not required to pay a bond, note, or other obligation of the district.
SUBCHAPTER F. PUBLIC IMPROVEMENT DISTRICT DISSOLUTION
Sec. 3925.251. PUBLIC IMPROVEMENT DISTRICT DISSOLUTION. (a) The city shall dissolve a public improvement district created by the city under Chapter 372, Local Government Code, that is in the boundaries of the district if the board imposes an assessment.
(b) A public improvement district that is dissolved under this

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section shall remain in effect for the purposes of meeting obligations of indebtedness and collecting delinquent assessments.

SUBCHAPTER G. CONSOLIDATION

Sec. 3925.301. The district may not be consolidated with another district that has the powers of a district created under Chapter 375, Local Government Code.

SUBCHAPTER H. DISSOLUTION

Sec. 3925.351. DISSOLUTION BY PETITION BY OWNERS. (a) Section 375.262, Local Government Code, does not apply to the district.

(b) Except as limited by Section 375.264, Local Government Code, the board shall dissolve the district on written petition filed with the board by the owners of:

(1) 50 percent or more of the assessed value of the property in the district based on the most recent certified county property tax rolls; or

(2) 50 percent or more of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment under Sections 375.163 and 375.164, Local Government Code, according to the most recent certified county property tax rolls. [FA2]

No equivalent provision.

SECTION __. The Saint George Place Management District initially includes all territory contained in the Tax Increment Reinvestment Zone No. One, City of Houston, Texas, designated by the City of Houston in Ordinance No. 90-1452, dated December 12, 1990, as that zone is configured on the effective date of this Act. [FA2]

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No equivalent provision.

SECTION __. BARTON SPRINGS-EDWARDS AQUIFER CONSERVATION DISTRICT. It is the intent of the legislature that the following six SECTIONS, SECTIONS __, __, __, __, __, and __ of this Act, apply only to the territory described by Section 8802.0035, Special District Local Laws Code, as added by this Act, and not have statewide implications. [FA3(1)]

No equivalent provision.

SECTION __. Subchapter A, Chapter 8802, Special District Local Laws Code, is amended by adding Section 8802.0035 to read as follows:
Sec. 8802.0035. SHARED TERRITORY; JURISDICTION.
(a) The territory of the district includes any territory that is:
(1) inside the boundaries of:
(A) the Edwards Aquifer Authority; and
(B) Hays County; and
(2) not within the boundaries of the Plum Creek Conservation District as those boundaries existed on February 1, 2015.
(b) The Edwards Aquifer Authority has jurisdiction over any well that is drilled to produce water from the Edwards Aquifer in the shared territory described by Subsection (a).
(c) The district has jurisdiction over groundwater and any well that is drilled to produce water from any aquifer other than the Edwards Aquifer in the shared territory described by Subsection (a).
(d) Except for the district and the Edwards Aquifer Authority, no district or authority created under Section 52, Article III, or Section 59, Article XVI, Texas Constitution, has authority in the shared territory described by Subsection (a) to regulate the spacing of water wells or the production from water wells.
(e) The district has jurisdiction over any well that is drilled to produce water from the Edwards Aquifer or any other aquifer

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in the territory described by Section 8802.003.

(f) The district's jurisdiction over any well that is drilled to produce water in the territory described in Section 8802.003, including a well that is used to recover water that has been injected as part of an aquifer storage and recovery project, applies to all wells for which the district has jurisdiction in the shared territory described by this section. [FA3(1)]

No equivalent provision.

SECTION __. Section 8802.1045, Special District Local Laws Code, is amended by adding Subsection (g) to read as follows:
(g) This subsection applies only to a well located in the shared territory described by Section 8802.0035. Notwithstanding Subsection (b), the district may not charge an annual production fee of more than 17 cents per thousand gallons of water produced under a permit from a well under this subsection, if the water is permitted for any use other than agricultural use. [FA3(1)]

No equivalent provision.

SECTION __. As soon as practicable after the effective date of the Act enacting this SECTION, and in conformance with Chapter 36, Water Code, the board of directors of the Barton Springs-Edwards Aquifer Conservation District may increase the number of board members and shall revise the single-member districts as the board considers appropriate to reflect the changes in territory made by Section 8802.0035, Special District Local Laws Code, as added by this Act. It is the intent of the legislature that the composition of the board reflect the territory added to the district by this Act. [FA3(1)]

No equivalent provision.

SECTION __. In this section:

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(1) "District" means the Barton Springs-Edwards Aquifer Conservation District.

(2) "Maximum production capacity" means the maximum production capacity of a well, which may be based on a 36-hour pump test conducted at the time the well was initially constructed or placed into service.

(b) This section applies only to the shared territory added to the district by Section 8802.0035, Special District Local Laws Code, as added by this Act.

(c) A person operating a well before the effective date of this Act or who has entered into a contract before the effective date of this Act to drill or operate a well that is or will be located in the territory described by Subsection (b) of this section and subject to the jurisdiction of the district under Section 8802.0035, Special District Local Laws Code, as added by this Act, shall file an administratively complete permit application with the district not later than three months after the effective date of this Act for the drilling, equipping, completion, or operation of any well if the well requires a permit under the rules or orders of the district. The person may file the permit application for an amount of groundwater production not to exceed the maximum production capacity of the well.

(d) The district shall issue a temporary permit to a person who files an application under Subsection (c) of this section without a hearing on the application not later than the 30th day after the date of receipt of the application. The district shall issue the temporary permit for the groundwater production amount set forth in the application. The temporary permit issued under this subsection shall provide the person with retroactive and prospective authorization to drill, operate, or perform another activity related to a well for which a permit is required by the district for the period of time

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between the effective date of this Act and the date that the district takes a final, appealable action on issuance of a regular permit pursuant to the permit application if:

(1) the person's drilling, operating, or other activities associated with the well are consistent with the authorization sought in the permit application;

(2) the person timely pays to the district all administrative fees and fees related to the amount of groundwater authorized to be produced pursuant to the temporary permit in the same manner as other permit holders in the district; and

(3) the person complies with other rules and orders of the district applicable to permit holders.

(e) The temporary permit issued under Subsection (d) does not confer any rights or privileges to the permit holder other than those set forth in this section. After issuing the temporary permit, the district shall process the permit application for notice, hearing, and consideration for issuance of a regular permit consistent with this section. The district, after notice and hearing, shall issue an order granting the regular permit authorizing groundwater production in the amount set forth in the temporary permit unless the district finds that authorizing groundwater production in the amount set forth in the temporary permit will cause:

(1) a failure to achieve the applicable adopted desired future conditions for the aquifer; or

(2) an unreasonable impact on existing wells.

(f) In the hearing on issuance of the regular permit under Subsection (e), the permit applicant bears the burden of proof.

(g) The holder of a temporary or regular permit subject to a district order under this section to reduce the amount of groundwater production from the permitted well may contest the reduction by requesting a contested case hearing to be conducted by the State Office of Administrative Hearings in

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the manner provided by Sections 36.416, 36.4165, and 36.418, Water Code. The district shall contract with the State Office of Administrative Hearings to conduct the hearing as provided by those sections of the Water Code. To the extent possible, the State Office of Administrative Hearings shall expedite a hearing under this subsection. The permit applicant bears the burden of proof in the hearing.

(h) For the State Office of Administrative Hearings to recommend overturning a district order reducing the amount of groundwater authorized to be produced under a temporary permit, the permit holder must demonstrate by a preponderance of the evidence that the production of the amount of groundwater authorized based on the maximum production capacity will not cause:

(1) a failure to achieve applicable adopted desired future conditions for the aquifer; or

(2) an unreasonable impact on existing wells as found in the district's order.

(i) A person who relies on the temporary permit granted by this section to drill, operate, or engage in other activities associated with a water well assumes the risk that the district may grant or deny, wholly or partly, the permit application when the district takes final action after notice and hearing to issue a regular permit pursuant to the application. [FA3(1)]

No equivalent provision.

SECTION __. If the addition of territory under Section 8802.0035, Special District Local Laws Code, as added by this Act, causes the annual water use fee in Section 8802.105 to exceed \$1 million, the district shall not require an assessment of greater than \$1 million annually as adjusted to reflect the percentage change during the preceding year in the Consumer Price Index. [FA3(1)]

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SECTION __. (a) The legislature validates and confirms all acts and proceedings of the board of directors of the Barton Springs-Edwards Aquifer Conservation District that were taken before the effective date of this Act.

(b) Subsection (a) of this section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court;

or

(2) has been held invalid by a final judgment of a court.

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