

1-1 By: Bell of Montgomery (Senate Sponsor - Kolkhorst) H.B. No. 3211
1-2 (In the Senate - Received from the House May 6, 2019;
1-3 May 6, 2019, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 15, 2019, reported favorably by
1-5 the following vote: Yeas 7, Nays 0; May 15, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the creation of the Waller County Municipal Utility
1-18 District No. 34; granting a limited power of eminent domain;
1-19 providing authority to issue bonds; providing authority to impose
1-20 assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-23 Code, is amended by adding Chapter 8046 to read as follows:

1-24 CHAPTER 8046. WALLER COUNTY MUNICIPAL UTILITY DISTRICT NO. 34

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 8046.0101. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.

1-28 (2) "Commission" means the Texas Commission on
1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Waller County Municipal
1-32 Utility District No. 34.

1-33 Sec. 8046.0102. NATURE OF DISTRICT. The district is a
1-34 municipal utility district created under Section 59, Article XVI,
1-35 Texas Constitution.

1-36 Sec. 8046.0103. CONFIRMATION AND DIRECTOR ELECTION
1-37 REQUIRED. The temporary directors shall hold an election to
1-38 confirm the creation of the district and to elect five permanent
1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 8046.0104. CONSENT OF MUNICIPALITY REQUIRED. The
1-41 temporary directors may not hold an election under Section
1-42 8046.0103 until each municipality in whose corporate limits or
1-43 extraterritorial jurisdiction the district is located has
1-44 consented by ordinance or resolution to the creation of the
1-45 district and to the inclusion of land in the district.

1-46 Sec. 8046.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by
1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that
1-52 relate to the construction, acquisition, improvement, operation,
1-53 or maintenance of macadamized, graveled, or paved roads, or
1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 8046.0106. INITIAL DISTRICT TERRITORY. (a) The
1-56 district is initially composed of the territory described by
1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of
1-59 the Act enacting this chapter form a closure. A mistake made in the
1-60 field notes or in copying the field notes in the legislative process
1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 8046.0201. GOVERNING BODY; TERMS. (a) The district is

2-9 governed by a board of five elected directors.

2-10 (b) Except as provided by Section 8046.0202, directors

2-11 serve staggered four-year terms.

2-12 Sec. 8046.0202. TEMPORARY DIRECTORS. (a) On or after the

2-13 effective date of the Act enacting this chapter, the owner or owners

2-14 of a majority of the assessed value of the real property in the

2-15 district may submit a petition to the commission requesting that

2-16 the commission appoint as temporary directors the five persons

2-17 named in the petition. The commission shall appoint as temporary

2-18 directors the five persons named in the petition.

2-19 (b) Temporary directors serve until the earlier of:

2-20 (1) the date permanent directors are elected under

2-21 Section 8046.0103; or

2-22 (2) the fourth anniversary of the effective date of

2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under

2-25 Section 8046.0103 and the terms of the temporary directors have

2-26 expired, successor temporary directors shall be appointed or

2-27 reappointed as provided by Subsection (d) to serve terms that

2-28 expire on the earlier of:

2-29 (1) the date permanent directors are elected under

2-30 Section 8046.0103; or

2-31 (2) the fourth anniversary of the date of the

2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a

2-34 majority of the assessed value of the real property in the district

2-35 may submit a petition to the commission requesting that the

2-36 commission appoint as successor temporary directors the five

2-37 persons named in the petition. The commission shall appoint as

2-38 successor temporary directors the five persons named in the

2-39 petition.

SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 8046.0301. GENERAL POWERS AND DUTIES. The district

2-42 has the powers and duties necessary to accomplish the purposes for

2-43 which the district is created.

2-44 Sec. 8046.0302. MUNICIPAL UTILITY DISTRICT POWERS AND

2-45 DUTIES. The district has the powers and duties provided by the

2-46 general law of this state, including Chapters 49 and 54, Water Code,

2-47 applicable to municipal utility districts created under Section 59,

2-48 Article XVI, Texas Constitution.

2-49 Sec. 8046.0303. AUTHORITY FOR ROAD PROJECTS. Under Section

2-50 52, Article III, Texas Constitution, the district may design,

2-51 acquire, construct, finance, issue bonds for, improve, operate,

2-52 maintain, and convey to this state, a county, or a municipality for

2-53 operation and maintenance macadamized, graveled, or paved roads, or

2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 8046.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A

2-56 road project must meet all applicable construction standards,

2-57 zoning and subdivision requirements, and regulations of each

2-58 municipality in whose corporate limits or extraterritorial

2-59 jurisdiction the road project is located.

2-60 (b) If a road project is not located in the corporate limits

2-61 or extraterritorial jurisdiction of a municipality, the road

2-62 project must meet all applicable construction standards,

2-63 subdivision requirements, and regulations of each county in which

2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the

2-66 Texas Transportation Commission must approve the plans and

2-67 specifications of the road project.

2-68 Sec. 8046.0305. COMPLIANCE WITH MUNICIPAL CONSENT

2-69 ORDINANCE OR RESOLUTION. The district shall comply with all

3-1 applicable requirements of any ordinance or resolution that is
 3-2 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-3 consents to the creation of the district or to the inclusion of land
 3-4 in the district.

3-5 Sec. 8046.0306. DIVISION OF DISTRICT. (a) The district may
 3-6 be divided into two or more new districts only if the district:

3-7 (1) has no outstanding bonded debt; and

3-8 (2) is not imposing ad valorem taxes.

3-9 (b) This chapter applies to any new district created by the
 3-10 division of the district, and a new district has all the powers and
 3-11 duties of the district.

3-12 (c) Any new district created by the division of the district
 3-13 may not, at the time the new district is created, contain any land
 3-14 outside the area described by Section 2 of the Act creating this
 3-15 chapter.

3-16 (d) The board, on its own motion or on receipt of a petition
 3-17 signed by the owner or owners of a majority of the assessed value of
 3-18 the real property in the district, may adopt an order dividing the
 3-19 district.

3-20 (e) The board may adopt an order dividing the district
 3-21 before or after the date the board holds an election under Section
 3-22 8046.0103 to confirm the district's creation.

3-23 (f) An order dividing the district shall:

3-24 (1) name each new district;

3-25 (2) include the metes and bounds description of the
 3-26 territory of each new district;

3-27 (3) appoint temporary directors for each new district;

3-28 and

3-29 (4) provide for the division of assets and liabilities
 3-30 between or among the new districts.

3-31 (g) On or before the 30th day after the date of adoption of
 3-32 an order dividing the district, the district shall file the order
 3-33 with the commission and record the order in the real property
 3-34 records of each county in which the district is located.

3-35 (h) Any new district created by the division of the district
 3-36 shall hold a confirmation and directors' election as required by
 3-37 Section 8046.0103.

3-38 (i) Municipal consent to the creation of the district and to
 3-39 the inclusion of land in the district granted under Section
 3-40 8046.0104 acts as municipal consent to the creation of any new
 3-41 district created by the division of the district and to the
 3-42 inclusion of land in the new district.

3-43 (j) Any new district created by the division of the district
 3-44 must hold an election as required by this chapter to obtain voter
 3-45 approval before the district may impose a maintenance tax or issue
 3-46 bonds payable wholly or partly from ad valorem taxes.

3-47 (k) If the creation of the new district is confirmed, the
 3-48 new district shall provide the election date and results to the
 3-49 commission.

3-50 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-51 Sec. 8046.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
 3-52 The district may issue, without an election, bonds and other
 3-53 obligations secured by:

3-54 (1) revenue other than ad valorem taxes; or

3-55 (2) contract payments described by Section 8046.0403.

3-56 (b) The district must hold an election in the manner
 3-57 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-58 before the district may impose an ad valorem tax or issue bonds
 3-59 payable from ad valorem taxes.

3-60 (c) The district may not issue bonds payable from ad valorem
 3-61 taxes to finance a road project unless the issuance is approved by a
 3-62 vote of a two-thirds majority of the district voters voting at an
 3-63 election held for that purpose.

3-64 Sec. 8046.0402. OPERATION AND MAINTENANCE TAX. (a) If
 3-65 authorized at an election held under Section 8046.0401, the
 3-66 district may impose an operation and maintenance tax on taxable
 3-67 property in the district in accordance with Section 49.107, Water
 3-68 Code.

3-69 (b) The board shall determine the tax rate. The rate may not

4-1 exceed the rate approved at the election.

4-2 Sec. 8046.0403. CONTRACT TAXES. (a) In accordance with
 4-3 Section 49.108, Water Code, the district may impose a tax other than
 4-4 an operation and maintenance tax and use the revenue derived from
 4-5 the tax to make payments under a contract after the provisions of
 4-6 the contract have been approved by a majority of the district voters
 4-7 voting at an election held for that purpose.

4-8 (b) A contract approved by the district voters may contain a
 4-9 provision stating that the contract may be modified or amended by
 4-10 the board without further voter approval.

4-11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-12 Sec. 8046.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 4-13 OBLIGATIONS. The district may issue bonds or other obligations
 4-14 payable wholly or partly from ad valorem taxes, impact fees,
 4-15 revenue, contract payments, grants, or other district money, or any
 4-16 combination of those sources, to pay for any authorized district
 4-17 purpose.

4-18 Sec. 8046.0502. TAXES FOR BONDS. At the time the district
 4-19 issues bonds payable wholly or partly from ad valorem taxes, the
 4-20 board shall provide for the annual imposition of a continuing
 4-21 direct ad valorem tax, without limit as to rate or amount, while all
 4-22 or part of the bonds are outstanding as required and in the manner
 4-23 provided by Sections 54.601 and 54.602, Water Code.

4-24 Sec. 8046.0503. BONDS FOR ROAD PROJECTS. At the time of
 4-25 issuance, the total principal amount of bonds or other obligations
 4-26 issued or incurred to finance road projects and payable from ad
 4-27 valorem taxes may not exceed one-fourth of the assessed value of the
 4-28 real property in the district.

4-29 SECTION 2. The Waller County Municipal Utility District No.
 4-30 34 initially includes all the territory contained in the following
 4-31 area:

4-32 A METES & BOUNDS description of a certain 3,791 acre
 4-33 (165,143,925 square feet) tract of land situated in the W.
 4-34 McCutchen (H. & T.C. R.R. Co.) Survey, Abstract No. 312, H. & T.C.
 4-35 R.R. Co. Survey, Abstract No. 145, W. McCutchen (H. & T.C. R.R. Co.)
 4-36 Survey, Abstract No. 315, H. & T.C. R.R. Co. Survey, Abstract
 4-37 No. 193, W. McCutchen (H. & T.C. R.R. Co.) Survey, Abstract
 4-38 No. 309, H. & T.C. R.R. Co. Survey, Abstract No. 192, H. & T.C. R.R.
 4-39 Co. Survey, Abstract No. 188, J. McCutchen (H. & T.C. R.R. Co.)
 4-40 Survey, Abstract No. 307, and the E. Wright (H. & T. R.R. Co.)
 4-41 Survey, Abstract No. 381 in Waller County, Texas, being all of a
 4-42 called 640 acre tract conveyed to Margaret Sager Pfeffer Estate
 4-43 Trust by Deed recorded in Volume 271, Page 308, Waller County Deed
 4-44 Records, being all of a called 640 acre tract conveyed to Adolph and
 4-45 Noelie Pfeffer Family Partnership One, Ltd. and Adolph and Noelie
 4-46 Pfeffer Family Partnership Two, Ltd. by Special Warranty Deed
 4-47 recorded in Volume 1284, Page 133, Waller Official Public Records
 4-48 of Real Property, being all of a called 823.996 acre tract conveyed
 4-49 to Adolph A . Pfeffer Sr., Trustee, of the Margaret Sager Pfeffer
 4-50 Estate Trust by Warranty Deed recorded in Volume 297, Page 825,
 4-51 Waller County Deed Records, being all of a called 320 acre tract
 4-52 conveyed to Cochran Road Partners, LLC by Special Warranty Deed
 4-53 recorded in Volume 1212, Page 399, Waller County Deed Records,
 4-54 being all of a called 640 acre tract conveyed to Cochran Road
 4-55 Partners, LLC by Special Warranty Deed recorded in Volume 1212,
 4-56 Page 399, Waller County Deed Records, being all of a called 152 acre
 4-57 tract conveyed to Cochran Road Partners, LLC by Special Warranty
 4-58 Deed recorded in Volume 1212, Page 399, Waller County Official
 4-59 Public Records of Real Property, being all of a called 80.741 acre
 4-60 tract conveyed to Adolph A Pfeffer, Jr., Trustee, of the Margaret
 4-61 Sager Pfeffer Estate Trust by Warranty Deed recorded in Volume 570,
 4-62 Page 822, Waller County Deed Records, being all of a called 40 acre
 4-63 (Tract 6) tract conveyed to Adolph Pfeffer by Deed recorded in
 4-64 Volume 350, Page 5, Waller County Deed Records, being all of a
 4-65 called 40 acre (Tract 7) tract conveyed to Adolph Pfeffer by Deed
 4-66 recorded in Volume 350, Page 5, Waller County Deed Records, being
 4-67 all of a called 119.5 acre (being 159.5 acres less 40 acres) tract
 4-68 conveyed to Adolph Pfeffer by Deed recorded in Volume 350, Page 5,
 4-69 Waller County Deed Records, being all of Lot 6 (called Tract 1)

5-1 conveyed to Adolph Pfeffer by Partition Deed recorded in Volume
 5-2 350, Page 5, Waller County Deed Records, being all of Lot 7 (called
 5-3 Tract 2) conveyed to Adolph Pfeffer by Partition Deed recorded in
 5-4 Volume 350, Page 5, Waller County Deed Records, being all of Lot 8
 5-5 (called Tract 3) conveyed to Adolph Pfeffer by Partition Deed
 5-6 recorded in Volume 350, Page 5, Waller County Deed Records, being
 5-7 all of Lot 9 (called Tract 4) conveyed to Adolph Pfeffer by
 5-8 Partition Deed recorded in Volume 350, Page 5, Waller County Deed
 5-9 Records, being the residue of a called 20.00 acre tract conveyed to
 5-10 Adolph A. Pfeffer by Special Warranty Deed recorded in Volume 1109,
 5-11 Page 001, Waller County Official Public Records of Real Property,
 5-12 and being a portion of tracts conveyed to Adolph A. Pfeffer by deed
 5-13 recorded in Volume 119, Page 113 Waller County Deed Records; said
 5-14 3,791-acre (165,143,925 square feet) tract of land being more
 5-15 particularly described as follows with all bearings being based on
 5-16 the Texas Coordinate System, South Central Zone, NAD 83:

5-17 BEGINNING at a point being the southeast corner of said
 5-18 called 640 acre tract conveyed to Margaret Sager Pfeffer Estate
 5-19 Trust;

5-20 THENCE, North 90°00'00" West, 5,280.00 feet to a point for a
 5-21 corner being the southwest corner of said called 640 acre tract
 5-22 conveyed to Margaret Sager Pfeffer Estate Trust;

5-23 THENCE, North 00°00'00" West, 2,640.00 feet to a point for
 5-24 corner being in the west line of said called 640 acre tract conveyed
 5-25 to Margaret Sager Pfeffer Estate Trust and being the southeast
 5-26 corner of said called 320 acre tract;

5-27 THENCE, North 90°00'00" West, 5,280.00 feet to a point for
 5-28 corner being the southwest corner of said called 320 acre tract;

5-29 THENCE, North 00°00'00" East, 2,728.33 feet to a point for
 5-30 corner being the northwest corner of said called 320 acre tract,
 5-31 being the southwest corner of said called 640 acre tract conveyed to
 5-32 Cochran Road Partners, LLC, and being the southeast corner of said
 5-33 called Volume 119, Page 113;

5-34 THENCE, North 90°00'00" West, 761.11 feet to a point for
 5-35 corner being in the south line of said called Volume 119, Page 113;

5-36 THENCE, South 89°36'31" West, 1,319.30 feet to a point for
 5-37 corner being the southwest corner of said called Volume 119, Page
 5-38 113 and being the southeast corner of said called 80.741 acre tract;

5-39 THENCE, North 89°37'42" West, 1,843.37 feet to a point for
 5-40 corner being the southwest corner of said called residue of a called
 5-41 20.00 acre tract;

5-42 THENCE, North 00°22'16" East, 1,105.28 feet to a point for
 5-43 corner being in the west line of said called residue of a called 20
 5-44 acre tract;

5-45 THENCE, South 89°37'43" East, 500.54 feet to a point for
 5-46 corner being in the west line of said called 80.741 acre tract and
 5-47 being in the east line of said called residue of a called 20.00 acre
 5-48 tract;

5-49 THENCE, North 01°24'32" West, 391.93 feet to a point for
 5-50 corner being in the west line of said called 80.741 acre tract and
 5-51 being in the east line of said called residue of a called 20.00 acre
 5-52 tract;

5-53 THENCE, North 01°16'47" East, 33.21 feet to a point for corner
 5-54 being in the west line of said called 80.741 acre tract and being in
 5-55 the east line of said called residue of a called 20.00 acre tract;

5-56 THENCE, North 89°37'43" West, 488.89 feet to a point for
 5-57 corner being in the west line of said called residue of a called
 5-58 20.00 acre tract;

5-59 THENCE, North 00°22'21" East, 189.43 feet to a point for
 5-60 corner being the northwest corner of said called residue of a called
 5-61 20.00 acre tract;

5-62 THENCE, South 89°37'43" East, 491.89 feet to a point for
 5-63 corner being in the west line of said called 80.741 acre tract and
 5-64 being the northeast corner of said called residue of a called 20.00
 5-65 acre tract;

5-66 THENCE, North 01°16'47" East, 926.49 feet to a point for
 5-67 corner being the northwest corner of said called 80.741 acre tract
 5-68 and being the most northerly southwest corner of said called Volume
 5-69 119, Page 113;

6-1 THENCE, North 00°00'00" West, 1,223.80 feet to a point for
6-2 corner being the southeast corner of said called Tract 6 and being
6-3 in the west line of said called Volume 119, Page 113;
6-4 THENCE, North 90°00'00" West, 2,638.89 feet to a point for
6-5 corner being the southwest corner of said called Tract 7;
6-6 THENCE, North 00°00'00" West, 1,322.22 feet to a point for
6-7 corner being the northwest corner of said called Tract 7;
6-8 THENCE, North 90°00'00" East, 530.56 feet to a point for
6-9 corner being in the north line of said called Tract 7 and being the
6-10 southwest corner of said called 119.5 acre tract;
6-11 THENCE, North 00°00'00" West, 2,516.67 feet to a point for
6-12 corner being the northwest corner of said called 119.5 acre tract;
6-13 THENCE, North 89°54'50" East, 2,773.34 feet to a point for
6-14 corner being the northeast corner of said called 119.5 acre tract,
6-15 being the southwest corner of said called Lot 6, and being the
6-16 northwest corner of said called Lot 7;
6-17 THENCE, North 00°00'00" West, 840.28 feet to a point for
6-18 corner being the northwest corner of said called Lot 6;
6-19 THENCE, North 90°00'00" East, 2,735.00 feet to a point for
6-20 corner being the northeast corner of said called Lot 6;
6-21 THENCE, South 00°00'00" West, 869.44 feet to a point for
6-22 corner being the southeast corner of said called Lot 6, being the
6-23 northeast corner of said called Lot 7, and being the northwest
6-24 corner of said called 152 acre tract;
6-25 THENCE, North 90°00'00" East, 2,657.30 feet to a point for
6-26 corner being the northeast corner of said called 152 acre tract;
6-27 THENCE, South 00°00'00" East, 2,491.67 feet to a point for
6-28 corner being the southeast corner of said called 152 acre tract and
6-29 being in the north line of said called 640 acre tract conveyed to
6-30 Cochran Road Partners, LLC;
6-31 THENCE, North 90°00'00" East, 2,622.70 feet to a point for
6-32 corner being the northeast corner of said called 640 acre tract
6-33 conveyed to Cochran Road Partners, LLC, being the northwest corner
6-34 of said called 640 acre tract conveyed to Adolph and Noelie Pfeffer
6-35 Family Partnership One, Ltd. and Adolph and Noelie Pfeffer Family
6-36 Partnership Two, Ltd., and being the southwest corner of said
6-37 called 823.996 acre tract;
6-38 THENCE, North 00°04'31" East, 4,548.22 feet to a point for
6-39 corner being in the west line of said called 823.996 acre tract;
6-40 THENCE, North 11°22'24" West, 128.93 feet to a point for
6-41 corner being in the west line of said called 823.996 acre tract;
6-42 THENCE, North 00°21'45" East, 459.44 feet to a point for
6-43 corner being the northwest corner of said called 823.996 acre
6-44 tract;
6-45 THENCE, South 89°56'04" East, 2,814.86 feet to a point for
6-46 corner being the most northerly northeast corner of said called
6-47 823.996 acre tract;
6-48 THENCE, South 16°12'54" East, 1,715.81 feet to a point being
6-49 an interior corner of said called 823.996 acre tract;
6-50 THENCE, South 81°28'25" E, 2,000.00 feet to a point for corner
6-51 being the most southerly northeast corner of said called 823.996
6-52 acre tract;
6-53 THENCE, South 00°06'10" East, 13,746.77 feet to the POINT OF
6-54 BEGINNING, CONTAINING 3,791 acres (165,143,925 square feet) of land
6-55 in Waller County, Texas filed in the office of Manhard Consulting,
6-56 Ltd. in The Woodlands, Texas.
6-57 SECTION 3. (a) The legal notice of the intention to
6-58 introduce this Act, setting forth the general substance of this
6-59 Act, has been published as provided by law, and the notice and a
6-60 copy of this Act have been furnished to all persons, agencies,
6-61 officials, or entities to which they are required to be furnished
6-62 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
6-63 Government Code.
6-64 (b) The governor, one of the required recipients, has
6-65 submitted the notice and Act to the Texas Commission on
6-66 Environmental Quality.
6-67 (c) The Texas Commission on Environmental Quality has filed
6-68 its recommendations relating to this Act with the governor, the
6-69 lieutenant governor, and the speaker of the house of

7-1 representatives within the required time.

7-2 (d) All requirements of the constitution and laws of this
7-3 state and the rules and procedures of the legislature with respect
7-4 to the notice, introduction, and passage of this Act are fulfilled
7-5 and accomplished.

7-6 SECTION 4. (a) If this Act does not receive a two-thirds
7-7 vote of all the members elected to each house, Subchapter C, Chapter
7-8 8046, Special District Local Laws Code, as added by Section 1 of
7-9 this Act, is amended by adding Section 8046.0307 to read as follows:

7-10 Sec. 8046.0307. NO EMINENT DOMAIN POWER. The district may
7-11 not exercise the power of eminent domain.

7-12 (b) This section is not intended to be an expression of a
7-13 legislative interpretation of the requirements of Section 17(c),
7-14 Article I, Texas Constitution.

7-15 SECTION 5. This Act takes effect immediately if it receives
7-16 a vote of two-thirds of all the members elected to each house, as
7-17 provided by Section 39, Article III, Texas Constitution. If this
7-18 Act does not receive the vote necessary for immediate effect, this
7-19 Act takes effect September 1, 2019.

7-20

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