

1-1 By: Deshotel (Senate Sponsor - Creighton) H.B. No. 4695
 1-2 (In the Senate - Received from the House May 7, 2019;
 1-3 May 10, 2019, read first time and referred to Committee on
 1-4 Transportation; May 10, 2019, rereferred to Select Committee on
 1-5 Texas Ports; May 14, 2019, reported favorably by the following
 1-6 vote: Yeas 5, Nays 0; May 14, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15			X	

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the administration of the Port of Port Arthur
 1-19 Navigation District of Jefferson County, including the authority to
 1-20 impose taxes.

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

1-22 SECTION 1. Section 11, Chapter 197, Acts of the 58th
 1-23 Legislature, Regular Session, 1963, is amended to read as follows:

1-24 Sec. 11. Each commissioner shall receive for performing
 1-25 duties as a commissioner compensation and benefits set by the Board
 1-26 of Port Commissioners plus actual traveling expenses. The Board of
 1-27 Port Commissioners shall set the compensation and benefits of the
 1-28 secretary, general manager, attorneys, engineers, and all other
 1-29 employees, and said board shall set and determine the term and time
 1-30 of employment of all officers and employees of the district;
 1-31 provided that all officers and employees of the district, except
 1-32 the commissioners themselves, shall hold their offices subject to
 1-33 the will of the Board of Port Commissioners.

1-34 SECTION 2. Section 23, Chapter 197, Acts of the 58th
 1-35 Legislature, Regular Session, 1963, is amended to read as follows:

1-36 Sec. 23. The ~~[Commissioners Court of Jefferson County,~~
 1-37 ~~Texas, shall, upon requisition of the]~~ Board of Port Commissioners
 1-38 shall impose~~[, levy]~~ taxes necessary to pay the interest on the
 1-39 bonded debt and to create a sinking fund to retire the principal
 1-40 thereof, as well as a maintenance tax for said district within the
 1-41 limitations prescribed by this Act. In all matters pertaining to
 1-42 the imposition ~~[levying and assessing]~~ of taxes~~[, the equalization~~
 1-43 ~~thereof, and the collection of same,]~~ and the duties of all officers
 1-44 in connection therewith, the laws of the State of Texas for the
 1-45 imposition ~~[assessing, levying and collecting]~~ of ~~[state and~~
 1-46 ~~county]~~ taxes shall apply, and such duties shall be done and
 1-47 performed by the officers charged with imposing ~~[the collection of~~
 1-48 ~~state and county]~~ taxes. Said taxes shall be deposited with the
 1-49 depository or depositories of said district at the times and in the
 1-50 manner provided by law for depositing county taxes in the county
 1-51 depository, and such officers shall furnish such bonds and receive
 1-52 such compensation for their services as is now being paid for like
 1-53 services, and said district shall have a lien upon all property
 1-54 against which taxes may be levied and assessed, enforceable under
 1-55 the same law and in the same manner as a lien securing state and
 1-56 county taxes. Limitation shall not run against the district as a
 1-57 bar to the collection of any taxes or other public charges of the
 1-58 district.

1-59 SECTION 3. (a) The following actions of the Port of Port
 1-60 Arthur Navigation District are validated and confirmed in all
 1-61 respects as if the actions had been done as authorized by law:

2-1 (1) all acts and proceedings of the district taken
2-2 before the effective date of this Act; and

2-3 (2) the issuance of any bonds or the imposition of
2-4 taxes, including maintenance and operations taxes, in furtherance
2-5 of any bonds issued by the district.

2-6 (b) A governmental act or proceeding of the district
2-7 occurring after an act or proceeding validated by this Act may not
2-8 be held invalid on the ground that the prior act or proceeding, in
2-9 the absence of this Act, was invalid.

2-10 (c) This section does not apply to any matter that on the
2-11 effective date of this Act:

2-12 (1) is involved in litigation if the litigation
2-13 ultimately results in the matter being held invalid by a final
2-14 judgment of a court of competent jurisdiction; or

2-15 (2) has been held invalid by a final judgment of a
2-16 court of competent jurisdiction.

2-17 SECTION 4. (a) The legal notice of the intention to
2-18 introduce this Act, setting forth the general substance of this
2-19 Act, has been published as provided by law, and the notice and a
2-20 copy of this Act have been furnished to all persons, agencies,
2-21 officials, or entities to which they are required to be furnished
2-22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2-23 Government Code.

2-24 (b) The governor, one of the required recipients, has
2-25 submitted the notice and Act to the Texas Commission on
2-26 Environmental Quality.

2-27 (c) The Texas Commission on Environmental Quality has filed
2-28 its recommendations relating to this Act with the governor, the
2-29 lieutenant governor, and the speaker of the house of
2-30 representatives within the required time.

2-31 (d) All requirements of the constitution and laws of this
2-32 state and the rules and procedures of the legislature with respect
2-33 to the notice, introduction, and passage of this Act are fulfilled
2-34 and accomplished.

2-35 SECTION 5. This Act takes effect immediately if it receives
2-36 a vote of two-thirds of all the members elected to each house, as
2-37 provided by Section 39, Article III, Texas Constitution. If this
2-38 Act does not receive the vote necessary for immediate effect, this
2-39 Act takes effect September 1, 2019.

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