

1-1 By: Zerwas (Senate Sponsor - Kolthorst) H.B. No. 4696  
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  
1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Lucio	X		
1-10	Schwertner	X		
1-11	Alvarado	X		
1-12	Campbell	X		
1-13	Fallon	X		
1-14	Menéndez	X		
1-15	Nichols	X		

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

1-18 relating to the creation of the Fort Bend County Municipal Utility  
1-19 District No. 240; granting a limited power of eminent domain;  
1-20 providing authority to issue bonds; providing authority to impose  
1-21 assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-24 Code, is amended by adding Chapter 8347 to read as follows:

1-25 CHAPTER 8347. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 240

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 8347.0101. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.

1-29 (2) "Commission" means the Texas Commission on  
1-30 Environmental Quality.

1-31 (3) "Director" means a board member.

1-32 (4) "District" means the Fort Bend County Municipal  
1-33 Utility District No. 240.

1-34 Sec. 8347.0102. NATURE OF DISTRICT. The district is a  
1-35 municipal utility district created under Section 59, Article XVI,  
1-36 Texas Constitution.

1-37 Sec. 8347.0103. CONFIRMATION AND DIRECTOR ELECTION  
1-38 REQUIRED. The temporary directors shall hold an election to  
1-39 confirm the creation of the district and to elect five permanent  
1-40 directors as provided by Section 49.102, Water Code.

1-41 Sec. 8347.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
1-42 temporary directors may not hold an election under Section  
1-43 8347.0103 until each municipality in whose corporate limits or  
1-44 extraterritorial jurisdiction the district is located has  
1-45 consented by ordinance or resolution to the creation of the  
1-46 district and to the inclusion of land in the district.

1-47 Sec. 8347.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-48 (a) The district is created to serve a public purpose and benefit.

1-49 (b) The district is created to accomplish the purposes of:

1-50 (1) a municipal utility district as provided by  
1-51 general law and Section 59, Article XVI, Texas Constitution; and

1-52 (2) Section 52, Article III, Texas Constitution, that  
1-53 relate to the construction, acquisition, improvement, operation,  
1-54 or maintenance of macadamized, graveled, or paved roads, or  
1-55 improvements, including storm drainage, in aid of those roads.

1-56 Sec. 8347.0106. INITIAL DISTRICT TERRITORY. (a) The  
1-57 district is initially composed of the territory described by  
1-58 Section 2 of the Act enacting this chapter.

1-59 (b) The boundaries and field notes contained in Section 2 of  
1-60 the Act enacting this chapter form a closure. A mistake made in the  
1-61 field notes or in copying the field notes in the legislative process

2-1 does not affect the district's:

2-2 (1) organization, existence, or validity;

2-3 (2) right to issue any type of bond for the purposes  
 2-4 for which the district is created or to pay the principal of and  
 2-5 interest on a bond;

2-6 (3) right to impose a tax; or

2-7 (4) legality or operation.

2-8 SUBCHAPTER B. BOARD OF DIRECTORS

2-9 Sec. 8347.0201. GOVERNING BODY; TERMS. (a) The district is  
 2-10 governed by a board of five elected directors.

2-11 (b) Except as provided by Section 8347.0202, directors  
 2-12 serve staggered four-year terms.

2-13 Sec. 8347.0202. TEMPORARY DIRECTORS. (a) On or after the  
 2-14 effective date of the Act enacting this chapter, the owner or owners  
 2-15 of a majority of the assessed value of the real property in the  
 2-16 district may submit a petition to the commission requesting that  
 2-17 the commission appoint as temporary directors the five persons  
 2-18 named in the petition. The commission shall appoint as temporary  
 2-19 directors the five persons named in the petition.

2-20 (b) Temporary directors serve until the earlier of:

2-21 (1) the date permanent directors are elected under  
 2-22 Section 8347.0103; or

2-23 (2) the fourth anniversary of the effective date of  
 2-24 the Act enacting this chapter.

2-25 (c) If permanent directors have not been elected under  
 2-26 Section 8347.0103 and the terms of the temporary directors have  
 2-27 expired, successor temporary directors shall be appointed or  
 2-28 reappointed as provided by Subsection (d) to serve terms that  
 2-29 expire on the earlier of:

2-30 (1) the date permanent directors are elected under  
 2-31 Section 8347.0103; or

2-32 (2) the fourth anniversary of the date of the  
 2-33 appointment or reappointment.

2-34 (d) If Subsection (c) applies, the owner or owners of a  
 2-35 majority of the assessed value of the real property in the district  
 2-36 may submit a petition to the commission requesting that the  
 2-37 commission appoint as successor temporary directors the five  
 2-38 persons named in the petition. The commission shall appoint as  
 2-39 successor temporary directors the five persons named in the  
 2-40 petition.

2-41 SUBCHAPTER C. POWERS AND DUTIES

2-42 Sec. 8347.0301. GENERAL POWERS AND DUTIES. The district  
 2-43 has the powers and duties necessary to accomplish the purposes for  
 2-44 which the district is created.

2-45 Sec. 8347.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-46 DUTIES. The district has the powers and duties provided by the  
 2-47 general law of this state, including Chapters 49 and 54, Water Code,  
 2-48 applicable to municipal utility districts created under Section 59,  
 2-49 Article XVI, Texas Constitution.

2-50 Sec. 8347.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
 2-51 52, Article III, Texas Constitution, the district may design,  
 2-52 acquire, construct, finance, issue bonds for, improve, operate,  
 2-53 maintain, and convey to this state, a county, or a municipality for  
 2-54 operation and maintenance macadamized, graveled, or paved roads, or  
 2-55 improvements, including storm drainage, in aid of those roads.

2-56 Sec. 8347.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 2-57 road project must meet all applicable construction standards,  
 2-58 zoning and subdivision requirements, and regulations of each  
 2-59 municipality in whose corporate limits or extraterritorial  
 2-60 jurisdiction the road project is located.

2-61 (b) If a road project is not located in the corporate limits  
 2-62 or extraterritorial jurisdiction of a municipality, the road  
 2-63 project must meet all applicable construction standards,  
 2-64 subdivision requirements, and regulations of each county in which  
 2-65 the road project is located.

2-66 (c) If the state will maintain and operate the road, the  
 2-67 Texas Transportation Commission must approve the plans and  
 2-68 specifications of the road project.

2-69 Sec. 8347.0305. COMPLIANCE WITH MUNICIPAL CONSENT

3-1 ORDINANCE OR RESOLUTION. The district shall comply with all  
 3-2 applicable requirements of any ordinance or resolution that is  
 3-3 adopted under Section 54.016 or 54.0165, Water Code, and that  
 3-4 consents to the creation of the district or to the inclusion of land  
 3-5 in the district.  
 3-6 Sec. 8347.0306. DIVISION OF DISTRICT. (a) The district may  
 3-7 be divided into two or more new districts only if the district:  
 3-8 (1) has never issued any bonds; and  
 3-9 (2) is not imposing ad valorem taxes.  
 3-10 (b) This chapter applies to any new district created by the  
 3-11 division of the district, and a new district has all the powers and  
 3-12 duties of the district.  
 3-13 (c) A new district created by the division of the district  
 3-14 may not, at the time the new district is created, contain any land  
 3-15 outside the area described by Section 2 of the Act enacting this  
 3-16 chapter.  
 3-17 (d) The board, on its own motion or on receipt of a petition  
 3-18 signed by the owner or owners of a majority of the assessed value of  
 3-19 the real property in the district, may adopt an order dividing the  
 3-20 district.  
 3-21 (e) The board may adopt an order dividing the district  
 3-22 before or after the date the board holds an election under Section  
 3-23 8347.0103 to confirm the creation of the district.  
 3-24 (f) An order dividing the district shall:  
 3-25 (1) name each new district;  
 3-26 (2) include the metes and bounds description of the  
 3-27 territory of each new district;  
 3-28 (3) appoint temporary directors for each new district;  
 3-29 and  
 3-30 (4) provide for the division of assets and liabilities  
 3-31 between the new districts.  
 3-32 (g) On or before the 30th day after the date of adoption of  
 3-33 an order dividing the district, the district shall file the order  
 3-34 with the commission and record the order in the real property  
 3-35 records of each county in which the district is located.  
 3-36 (h) A new district created by the division of the district  
 3-37 shall hold a confirmation and directors' election as required by  
 3-38 Section 8347.0103.  
 3-39 (i) If the creation of the new district is confirmed, the  
 3-40 new district shall provide the election date and results to the  
 3-41 commission.  
 3-42 (j) Any new district created by the division of the district  
 3-43 must hold an election as required by this chapter to obtain voter  
 3-44 approval before the district may impose a maintenance tax or issue  
 3-45 bonds payable wholly or partly from ad valorem taxes.  
 3-46 (k) Municipal consent to the creation of the district and to  
 3-47 the inclusion of land in the district granted under Section  
 3-48 8347.0104 acts as municipal consent to the creation of any new  
 3-49 district created by the division of the district and to the  
 3-50 inclusion of land in the new district.  
 3-51 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 3-52 Sec. 8347.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
 3-53 The district may issue, without an election, bonds and other  
 3-54 obligations secured by:  
 3-55 (1) revenue other than ad valorem taxes; or  
 3-56 (2) contract payments described by Section 8347.0403.  
 3-57 (b) The district must hold an election in the manner  
 3-58 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-59 before the district may impose an ad valorem tax or issue bonds  
 3-60 payable from ad valorem taxes.  
 3-61 (c) The district may not issue bonds payable from ad valorem  
 3-62 taxes to finance a road project unless the issuance is approved by a  
 3-63 vote of a two-thirds majority of the district voters voting at an  
 3-64 election held for that purpose.  
 3-65 Sec. 8347.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 3-66 authorized at an election held under Section 8347.0401, the  
 3-67 district may impose an operation and maintenance tax on taxable  
 3-68 property in the district in accordance with Section 49.107, Water  
 3-69 Code.

4-1 (b) The board shall determine the tax rate. The rate may not  
 4-2 exceed the rate approved at the election.

4-3 Sec. 8347.0403. CONTRACT TAXES. (a) In accordance with  
 4-4 Section 49.108, Water Code, the district may impose a tax other than  
 4-5 an operation and maintenance tax and use the revenue derived from  
 4-6 the tax to make payments under a contract after the provisions of  
 4-7 the contract have been approved by a majority of the district voters  
 4-8 voting at an election held for that purpose.

4-9 (b) A contract approved by the district voters may contain a  
 4-10 provision stating that the contract may be modified or amended by  
 4-11 the board without further voter approval.

4-12 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-13 Sec. 8347.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
 4-14 OBLIGATIONS. The district may issue bonds or other obligations  
 4-15 payable wholly or partly from ad valorem taxes, impact fees,  
 4-16 revenue, contract payments, grants, or other district money, or any  
 4-17 combination of those sources, to pay for any authorized district  
 4-18 purpose.

4-19 Sec. 8347.0502. TAXES FOR BONDS. At the time the district  
 4-20 issues bonds payable wholly or partly from ad valorem taxes, the  
 4-21 board shall provide for the annual imposition of a continuing  
 4-22 direct ad valorem tax, without limit as to rate or amount, while all  
 4-23 or part of the bonds are outstanding as required and in the manner  
 4-24 provided by Sections 54.601 and 54.602, Water Code.

4-25 Sec. 8347.0503. BONDS FOR ROAD PROJECTS. At the time of  
 4-26 issuance, the total principal amount of bonds or other obligations  
 4-27 issued or incurred to finance road projects and payable from ad  
 4-28 valorem taxes may not exceed one-fourth of the assessed value of the  
 4-29 real property in the district.

4-30 SECTION 2. The Fort Bend County Municipal Utility District  
 4-31 No. 240 initially includes all the territory contained in the  
 4-32 following area:

4-33 TRACT 1 - 203.50 ACRES

4-34 Being a 203.50 acre tract of land out of the Randolph Foster  
 4-35 League, Abstract 28, and the Thomas Westfall League, Abstract 92  
 4-36 and the Noel F. Roberts League, Abstract 79 Fort Bend County, Texas;  
 4-37 said 203.50 acre tract of land being more particularly described by  
 4-38 metes and bounds as follows:

4-39 COMMENCING at the Northwest corner of Thomas Westfall League,  
 4-40 Abstract 92; THENCE North 89° 53' 37" East with the common line of  
 4-41 said Foster League and said Westfall League, 1645.89 feet to a point  
 4-42 in the East right-of-way line of F.M. 1489 for the POINT OF  
 4-43 BEGINNING of the herein tract of land;

4-44 THENCE with said East right-of-way line, along the arc of a  
 4-45 curve to the right, having a radius of 2166.91 feet, a central angle  
 4-46 of 01° 46' 20", an arc length of 67.02 feet, and a chord bearing  
 4-47 North 04° 34' 23" East, 67.02 feet to a point for corner;

4-48 THENCE South 88° 56' 17" East, 4353.01 feet to a point for  
 4-49 corner in the centerline of Big Bayou (Bessie's Creek);

4-50 THENCE with the meanders of said centerline as follows:

- 4-51 - South 46° 57' 47" East, 639.50 feet to a point for corner;
- 4-52 - South 49° 22' 47" East, 386.90 feet to a point for corner;
- 4-53 - South 68° 19' 37" East, 544.00 feet to a point for corner;
- 4-54 - South 23° 42' 07" East, 440.41 feet to a point for corner;
- 4-55 - South 22° 08' 03" West, 221.91 feet to a point for corner;
- 4-56 - South 53° 41' 23" West, 287.12 feet to a point for corner;
- 4-57 - North 86° 22' 00" West, 2.51 feet to a point for corner;

4-58 THENCE South 00° 43' 33" West, 136.84 feet to a point for  
 4-59 corner in the West right-of-way line of Vernon Frost Road;

4-60 THENCE with said West right-of-way line as follows:

- 4-61 - South 13° 55' 15" West, 116.39 feet to a point for corner;
- 4-62 - South 00° 01' 45" East, 883.80 feet to a point for corner;
- 4-63 - South 52° 29' 11" West, 41.12 feet to a point for corner in  
 4-64 the North right-of-way line of said Vernon Frost Road;

4-65 THENCE with said North right-of-way line as follows:

- 4-66 - North 83° 31' 42" West, 2367.99 feet to a point for corner;
- 4-67 - South 64° 33' 59" West, 248.96 feet to a point for corner;

4-68 THENCE North 04° 02' 15" West, 982.17 feet to a point for  
 4-69 corner;

5-1           THENCE North 05° 25' 55" East, 275.65 feet to a point for  
5-2 corner in the aforementioned centerline of Big Bayou;  
5-3           THENCE with the meanders of said centerline as follows:  
5-4           - South 73° 53' 23" West, 212.50 feet to a point for corner;  
5-5           - South 56° 15' 13" West, 133.89 feet to a point for corner;  
5-6           THENCE North 01° 05' 23" East, 948.59 feet to a point for  
5-7 corner;  
5-8           THENCE North 88° 57' 42" West, 2,489.02 feet to a point for  
5-9 corner in the aforementioned east right-of-way line of F.M. 1489;  
5-10          THENCE with said East right-of-way as follows:  
5-11          - North 03° 01' 27" West, 312.88 feet to a point for corner  
5-12 and the beginning of a curve to the right;  
5-13          - Along the arc of said curve to the right, having a radius  
5-14 of 2166.91 feet, a central angle of 06° 42' 40", an arc length of  
5-15 253.82 feet, and a chord bearing North 00° 19' 53" East, 253.67 feet  
5-16 to the POINT OF BEGINNING; containing 203.50 acres of land, more or  
5-17 less.

5-18           TRACT 2 - 47.74 ACRES

5-19          Being a 47.74 acre tract of land out of the Thomas Westfall  
5-20 League, Abstract 92 Fort Bend County, Texas; said 47.74 acre tract  
5-21 of land being more particularly described by metes and bounds as  
5-22 follows:

5-23          COMMENCING at a point in the East line of said Thomas Westfall  
5-24 League, Abstract 92 and being in the South right-of-way line of  
5-25 Vernon Frost Road; THENCE North 83° 31' 43" West with said South  
5-26 right-of-way line, 979.03 feet to a point in the West line of a  
5-27 Roadway for Ingress and Egress and Utilities and for the POINT OF  
5-28 BEGINNING of the herein tract of land;

5-29          THENCE South 20° 02' 44" West with said West line, 1452.74  
5-30 feet to a point for corner;

5-31          THENCE North 83° 42' 22" West, 930.30 feet to a point for  
5-32 corner;

5-33          THENCE South 22° 36' 17" West, 8.24 feet to a point for corner;

5-34          THENCE South 71° 32' 11" West, 1961.02 to a point for corner in  
5-35 the East right-of-way line of F.M. 1489;

5-36          THENCE North 33° 39' 18" West with said East right-of-way  
5-37 line, 694.24 feet to a point for corner;

5-38          THENCE North 64° 33' 59" East, 1369.17 feet to a point for  
5-39 corner;

5-40          THENCE South 83° 31' 43" East, 1324.09 feet to a point for  
5-41 corner;

5-42          THENCE North 06° 28' 17" East, 883.00 feet to a point for  
5-43 corner in the South right-of-way line of the aforementioned Vernon  
5-44 Frost Road;

5-45          THENCE South 83° 31' 43" East with said South right-of-way  
5-46 line, 23.23 to the POINT OF BEGINNING; containing 47.74 acres of  
5-47 land, more or less.

5-48           TRACT 3 - 10.95 ACRES

5-49          Being a 10.95 acre tract of land out of the Thomas Westfall  
5-50 League, Abstract 92 Fort Bend County, Texas; said 10.95 acre tract  
5-51 of land being more particularly described by metes and bounds as  
5-52 follows:

5-53          COMMENCING at a point in the East line of said Thomas Westfall  
5-54 League, Abstract 92 and being in the South right-of-way line of  
5-55 Vernon Frost Road; THENCE North 83° 31' 43" East with said South  
5-56 right-of-way line, 30.19 feet to the POINT OF BEGINNING of the  
5-57 herein tract of land;

5-58          THENCE South 00° 05' 00" West, 593.27 feet to a point for  
5-59 corner;

5-60          THENCE North 83° 31' 42" West, 694.99 feet to a point for  
5-61 corner in the East line of a Roadway for Ingress and Egress and  
5-62 Utilities;

5-63          THENCE North 20° 02' 44" West with said East line, 658.90 feet  
5-64 to a point for corner in the South right-of-way line of the  
5-65 aforementioned Vernon Frost Road;

5-66          THENCE South 83° 31' 43" East with said South right-of-way  
5-67 line, 923.16 to the POINT OF BEGINNING; containing 10.95 acres of  
5-68 land, more or less.

5-69           TRACT 4 - 84.60 ACRES

6-1 Being a 95.93 acre tract of land out of the Randolph Foster  
6-2 League, Abstract 28, and the Thomas Westfall League, Abstract 92  
6-3 Fort Bend County, Texas; said 95.93 acre tract of land being more  
6-4 particularly described by metes and bounds as follows:  
6-5 COMMENCING at the Northwest corner of Thomas Westfall League,  
6-6 Abstract 92; THENCE North 89° 53' 37" East with the common line of  
6-7 said Foster League and said Westfall League, 1645.89 feet to a point  
6-8 in the East right-of-way line of F.M. 1489;  
6-9 THENCE with said East right-of-way line, along the arc of a  
6-10 curve to the right, having a radius of 2166.91 feet, a central angle  
6-11 of 01° 46' 20", an arc length of 67.02 feet, and a chord bearing  
6-12 North 04° 34' 23" East, 67.02 feet to the POINT OF BEGINNING of the  
6-13 herein tract of land;  
6-14 THENCE with said East right-of-way line, along the arc of a  
6-15 curve to the right, having a radius of 2166.91 feet, a central angle  
6-16 of 05° 49' 38", an arc length of 220.39 feet, and a chord bearing  
6-17 North 08° 22' 23" East, 220.29 feet to a point for corner;  
6-18 THENCE North 10° 25' 33" East, 567.79 feet to a point for  
6-19 corner;  
6-20 THENCE North 42° 48' 13" East, 161.59 feet to a point for  
6-21 corner;  
6-22 THENCE North 89° 49' 13" East, 776.80 feet to a point for  
6-23 corner;  
6-24 THENCE North 89° 50' 13" East, 1300.00 feet to a point for  
6-25 corner;  
6-26 THENCE North 89° 47' 53" East, 1493.99 feet to a point for  
6-27 corner;  
6-28 THENCE South 05° 13' 23" West, 121.36 feet to a point for  
6-29 corner in the centerline of Big Bayou (Bessie's Creek);  
6-30 THENCE with the meanders of said centerline as follows:  
6-31 - South 20° 06' 37" East, 255.79 feet to a point for corner;  
6-32 - South 33° 09' 07" East, 391.61 feet to a point for corner;  
6-33 - South 39° 30' 39" East, 386.36 feet to a point for corner;  
6-34 - South 46° 57' 47" East, 639.50 feet to a point for corner;  
6-35 - South 49° 22' 47" East, 386.90 feet to a point for corner;  
6-36 THENCE South 40° 37' 13" West, 400.00 feet to a point for  
6-37 corner;  
6-38 THENCE North 49° 22' 47" West, 395.34 feet to a point for  
6-39 corner;  
6-40 THENCE North 46° 57' 47" West, 700.28 feet to a point for  
6-41 corner;  
6-42 THENCE North 39° 00' 27" West, 342.84 feet to a point for  
6-43 corner;  
6-44 THENCE North 88° 56' 17" West, 3825.88 feet to the POINT OF  
6-45 BEGINNING; containing 95.93 acres of land more or less;  
6-46 SAVE AND EXCEPT an 11.33 acre tract of land being more  
6-47 particularly described by metes and bounds as follows:  
6-48 COMMENCING at a point in the East right-of-way for the  
6-49 Southwest corner of said 95.93 acre tract of land; Thence South 88°  
6-50 56' 17 East, 3825.88 feet to the PLACE OF BEGINNING;  
6-51 THENCE South 88° 56' 17" East, 527.13 feet to a point for  
6-52 corner in the centerline of Big Bayou (Bessie's Creek);  
6-53 THENCE with the meanders of said centerline as follows:  
6-54 - South 46° 57' 47" East, 639.50 feet to a point for corner;  
6-55 - South 49° 22' 47" East, 386.90 feet to a point for corner;  
6-56 THENCE South 40° 37' 13" West, 400.00 feet to a point for  
6-57 corner;  
6-58 THENCE North 49° 22' 47" West, 395.34 feet to a point for  
6-59 corner;  
6-60 THENCE North 46° 57' 47" West, 700.28 feet to a point for  
6-61 corner;  
6-62 THENCE North 39° 00' 27" West, 342.84 to the POINT OF  
6-63 BEGINNING; containing 11.33 acres of land more or less.  
6-64 SECTION 3. (a) The legal notice of the intention to  
6-65 introduce this Act, setting forth the general substance of this  
6-66 Act, has been published as provided by law, and the notice and a  
6-67 copy of this Act have been furnished to all persons, agencies,  
6-68 officials, or entities to which they are required to be furnished  
6-69 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

7-1 Government Code.

7-2 (b) The governor, one of the required recipients, has  
7-3 submitted the notice and Act to the Texas Commission on  
7-4 Environmental Quality.

7-5 (c) The Texas Commission on Environmental Quality has filed  
7-6 its recommendations relating to this Act with the governor, the  
7-7 lieutenant governor, and the speaker of the house of  
7-8 representatives within the required time.

7-9 (d) All requirements of the constitution and laws of this  
7-10 state and the rules and procedures of the legislature with respect  
7-11 to the notice, introduction, and passage of this Act are fulfilled  
7-12 and accomplished.

7-13 SECTION 4. (a) If this Act does not receive a two-thirds  
7-14 vote of all the members elected to each house, Subchapter C, Chapter  
7-15 8347, Special District Local Laws Code, as added by Section 1 of  
7-16 this Act, is amended by adding Section 8347.0307 to read as follows:

7-17 Sec. 8347.0307. NO EMINENT DOMAIN POWER. The district may  
7-18 not exercise the power of eminent domain.

7-19 (b) This section is not intended to be an expression of a  
7-20 legislative interpretation of the requirements of Section 17(c),  
7-21 Article I, Texas Constitution.

7-22 SECTION 5. This Act takes effect immediately if it receives  
7-23 a vote of two-thirds of all the members elected to each house, as  
7-24 provided by Section 39, Article III, Texas Constitution. If this  
7-25 Act does not receive the vote necessary for immediate effect, this  
7-26 Act takes effect September 1, 2019.

7-27

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