

1-1 By: Creighton S.B. No. 2182  
 1-2 (In the Senate - Filed March 31, 2021; April 6, 2021, read  
 1-3 first time and referred to Committee on Local Government;  
 1-4 April 23, 2021, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; April 23, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Menéndez	X			
1-9 Eckhardt	X			
1-10 Gutierrez	X			
1-11 Hall	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 Springer	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the creation of the Montgomery County Water Control and  
 1-20 Improvement District No. 205; granting a limited power of eminent  
 1-21 domain; providing authority to issue bonds; providing authority to  
 1-22 impose assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle I, Title 6, Special District Local Laws  
 1-25 Code, is amended by adding Chapter 9082 to read as follows:

1-26 CHAPTER 9082. MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT  
 1-27 DISTRICT NO. 205

1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 9082.0101. DEFINITIONS. In this chapter:

1-30 (1) "Board" means the district's board of directors.

1-31 (2) "Commission" means the Texas Commission on  
 1-32 Environmental Quality.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the Montgomery County Water  
 1-35 Control and Improvement District No. 205.

1-36 Sec. 9082.0102. NATURE OF DISTRICT. The district is a water  
 1-37 control and improvement district created under Section 59, Article  
 1-38 XVI, Texas Constitution.

1-39 Sec. 9082.0103. CONFIRMATION AND DIRECTOR ELECTION  
 1-40 REQUIRED. The temporary directors shall hold an election to  
 1-41 confirm the creation of the district and to elect five permanent  
 1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 9082.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
 1-44 temporary directors may not hold an election under Section  
 1-45 9082.0103 until each municipality in whose corporate limits or  
 1-46 extraterritorial jurisdiction the district is located has  
 1-47 consented by ordinance or resolution to the creation of the  
 1-48 district and to the inclusion of land in the district.

1-49 Sec. 9082.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-50 (a) The district is created to serve a public purpose and benefit.

1-51 (b) The district is created to accomplish the purposes of:

1-52 (1) a water control and improvement district as  
 1-53 provided by general law and Section 59, Article XVI, Texas  
 1-54 Constitution, including the collection, transportation,  
 1-55 processing, disposal, and control of domestic, industrial, or  
 1-56 communal waste and the gathering, conducting, diverting, and  
 1-57 control of local storm water or other harmful excesses of water; and

1-58 (2) Section 52, Article III, Texas Constitution, that  
 1-59 relate to the construction, acquisition, improvement, operation,  
 1-60 or maintenance of macadamized, graveled, or paved roads, or  
 1-61 improvements, including storm drainage, in aid of those roads.

2-1 Sec. 9082.0106. INITIAL DISTRICT TERRITORY. (a) The  
2-2 district is initially composed of the territory described by  
2-3 Section 2 of the Act enacting this chapter.

2-4 (b) The boundaries and field notes contained in Section 2 of  
2-5 the Act enacting this chapter form a closure. A mistake made in the  
2-6 field notes or in copying the field notes in the legislative process  
2-7 does not affect the district's:

- 2-8 (1) organization, existence, or validity;
- 2-9 (2) right to issue any type of bond for the purposes  
2-10 for which the district is created or to pay the principal of and  
2-11 interest on a bond;
- 2-12 (3) right to impose a tax; or
- 2-13 (4) legality or operation.

2-14 SUBCHAPTER B. BOARD OF DIRECTORS

2-15 Sec. 9082.0201. GOVERNING BODY; TERMS. (a) The district is  
2-16 governed by a board of five elected directors.

2-17 (b) Except as provided by Section 9082.0202, directors  
2-18 serve staggered four-year terms.

2-19 Sec. 9082.0202. TEMPORARY DIRECTORS. (a) The temporary  
2-20 board consists of:

- 2-21 (1) Harris Allen Reynolds III;
- 2-22 (2) Elliott Brayshaw;
- 2-23 (3) Cindy Fields;
- 2-24 (4) Alene Efaw; and
- 2-25 (5) Robert Wanninger.

2-26 (b) Temporary directors serve until the earlier of:

- 2-27 (1) the date permanent directors are elected under  
2-28 Section 9082.0103; or
- 2-29 (2) the fourth anniversary of the effective date of  
2-30 the Act enacting this chapter.

2-31 (c) If permanent directors have not been elected under  
2-32 Section 9082.0103 and the terms of the temporary directors have  
2-33 expired, successor temporary directors shall be appointed or  
2-34 reappointed as provided by Subsection (d) to serve terms that  
2-35 expire on the earlier of:

- 2-36 (1) the date permanent directors are elected under  
2-37 Section 9082.0103; or
- 2-38 (2) the fourth anniversary of the date of the  
2-39 appointment or reappointment.

2-40 (d) If Subsection (c) applies, the owner or owners of a  
2-41 majority of the assessed value of the real property in the district  
2-42 may submit a petition to the commission requesting that the  
2-43 commission appoint as successor temporary directors the five  
2-44 persons named in the petition. The commission shall appoint as  
2-45 successor temporary directors the five persons named in the  
2-46 petition.

2-47 SUBCHAPTER C. POWERS AND DUTIES

2-48 Sec. 9082.0301. GENERAL POWERS AND DUTIES. The district  
2-49 has the powers and duties necessary to accomplish the purposes for  
2-50 which the district is created.

2-51 Sec. 9082.0302. WATER CONTROL AND IMPROVEMENT DISTRICT  
2-52 POWERS AND DUTIES. The district has the powers and duties provided  
2-53 by the general law of this state, including Chapters 49 and 51,  
2-54 Water Code, applicable to water control and improvement districts  
2-55 created under Section 59, Article XVI, Texas Constitution,  
2-56 specifically including the powers and duties authorized under  
2-57 Subchapter H, Chapter 51, Water Code.

2-58 Sec. 9082.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
2-59 52, Article III, Texas Constitution, the district may design,  
2-60 acquire, construct, finance, issue bonds for, improve, operate,  
2-61 maintain, and convey to this state, a county, or a municipality for  
2-62 operation and maintenance macadamized, graveled, or paved roads, or  
2-63 improvements, including storm drainage, in aid of those roads.

2-64 Sec. 9082.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
2-65 road project must meet all applicable construction standards,  
2-66 zoning and subdivision requirements, and regulations of each  
2-67 municipality in whose corporate limits or extraterritorial  
2-68 jurisdiction the road project is located.

2-69 (b) If a road project is not located in the corporate limits

3-1 or extraterritorial jurisdiction of a municipality, the road  
3-2 project must meet all applicable construction standards,  
3-3 subdivision requirements, and regulations of each county in which  
3-4 the road project is located.

3-5 (c) If the state will maintain and operate the road, the  
3-6 Texas Transportation Commission must approve the plans and  
3-7 specifications of the road project.

3-8 Sec. 9082.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
3-9 ORDINANCE OR RESOLUTION. The district shall comply with all  
3-10 applicable requirements of any ordinance or resolution that is  
3-11 adopted under Section 42.042 or 42.0425, Local Government Code, and  
3-12 that consents to the creation of the district or to the inclusion of  
3-13 land in the district.

3-14 Sec. 9082.0306. LIMITATION ON USE OF EMINENT DOMAIN. The  
3-15 district may not exercise the power of eminent domain outside the  
3-16 district boundaries to acquire a site or easement for:

3-17 (1) a recreational facility, as defined by Section  
3-18 49.462, Water Code; or

3-19 (2) a road project authorized by Section 9082.0303.

3-20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-21 Sec. 9082.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
3-22 The district may issue, without an election, bonds and other  
3-23 obligations secured by:

3-24 (1) revenue other than ad valorem taxes; or

3-25 (2) contract payments described by Section 9082.0403.

3-26 (b) The district must hold an election in the manner  
3-27 provided by Chapters 49 and 51, Water Code, to obtain voter approval  
3-28 before the district may impose an ad valorem tax or issue bonds  
3-29 payable from ad valorem taxes.

3-30 (c) The district may not issue bonds payable from ad valorem  
3-31 taxes to finance a road project unless the issuance is approved by a  
3-32 vote of a two-thirds majority of the district voters voting at an  
3-33 election held for that purpose.

3-34 Sec. 9082.0402. OPERATION AND MAINTENANCE TAX. (a) If  
3-35 authorized at an election held under Section 9082.0401, the  
3-36 district may impose an operation and maintenance tax on taxable  
3-37 property in the district in accordance with Section 49.107, Water  
3-38 Code.

3-39 (b) The board shall determine the tax rate. The rate may not  
3-40 exceed the rate approved at the election.

3-41 Sec. 9082.0403. CONTRACT TAXES. (a) In accordance with  
3-42 Section 49.108, Water Code, the district may impose a tax other than  
3-43 an operation and maintenance tax and use the revenue derived from  
3-44 the tax to make payments under a contract after the provisions of  
3-45 the contract have been approved by a majority of the district voters  
3-46 voting at an election held for that purpose.

3-47 (b) A contract approved by the district voters may contain a  
3-48 provision stating that the contract may be modified or amended by  
3-49 the board without further voter approval.

3-50 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-51 Sec. 9082.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
3-52 OBLIGATIONS. The district may issue bonds or other obligations  
3-53 payable wholly or partly from ad valorem taxes, impact fees,  
3-54 revenue, contract payments, grants, or other district money, or any  
3-55 combination of those sources, to pay for any authorized district  
3-56 purpose.

3-57 Sec. 9082.0502. TAXES FOR BONDS. At the time the district  
3-58 issues bonds payable wholly or partly from ad valorem taxes, the  
3-59 board shall provide for the annual imposition of a continuing  
3-60 direct ad valorem tax, without limit as to rate or amount, while all  
3-61 or part of the bonds are outstanding as required and in the manner  
3-62 provided by Chapter 51, Water Code.

3-63 Sec. 9082.0503. BONDS FOR ROAD PROJECTS. At the time of  
3-64 issuance, the total principal amount of bonds or other obligations  
3-65 issued or incurred to finance road projects and payable from ad  
3-66 valorem taxes may not exceed one-fourth of the assessed value of the  
3-67 real property in the district.

3-68 Sec. 9082.0504. BONDS FOR RECREATIONAL FACILITIES. (a)  
3-69 The district may develop recreational facilities and issue bonds

4-1 for recreational facilities as provided by Chapter 49, Water Code,  
4-2 regardless of whether the district's territory overlaps with the  
4-3 territory of a political subdivision that is authorized to develop  
4-4 recreational facilities and issue bonds for recreational  
4-5 facilities under Chapter 49, Water Code.

4-6 (b) The authority of the district to develop recreational  
4-7 facilities and issue bonds for recreational facilities under this  
4-8 section does not limit the authority of another political  
4-9 subdivision whose territory the territory of the district may  
4-10 overlap, wholly or partly, to develop recreational facilities and  
4-11 issue bonds for recreational facilities under Chapter 49, Water  
4-12 Code.

4-13 SECTION 2. The Montgomery County Water Control and  
4-14 Improvement District No. 205 initially includes all the territory  
4-15 contained in the following area:

4-16 A METES & BOUNDS description of a certain 964.58 acre tract of  
4-17 land situated in the Montgomery County School Land Survey, Abstract  
4-18 No. 350 & 351, the T. F. Johnson Survey, Abstract No. 299 and the  
4-19 Timothy O'Neil Survey, Abstract No. 406 in Montgomery County,  
4-20 Texas, being comprised of a called 364.70 acre tract of land (Tract  
4-21 1) and a called 336.60 acre tract of land (Tract 2), SAVE AND EXCEPT  
4-22 a called 45.98 acre tract of land (Tract 3); PLUS a called 315.26  
4-23 acre tract of land (Tract 4).

4-24 TRACT 1: 364.70 Acres

4-25 364.70 acres, more or less, of land, of which 286.5 acres,  
4-26 more or less, lies in the Montgomery County School Land Survey,  
4-27 Abstract No. 350, 69.2 acres, more or less, lies in the Montgomery  
4-28 County School Land Survey, Abstract No. 350, 6.5 acres, more or  
4-29 less, lies in the T. F. Johnson Survey, Abstract No. 299, and 2.5  
4-30 acres, more or less, lies in the Timothy O'Neil Survey, Abstract  
4-31 No. 406, and being the same land as conveyed to Winnie Helen  
4-32 Hilliard by partition deed dated July 20, 1957, recorded in Volume  
4-33 434, Page 441 of the Deed Records of Montgomery County, Texas; said  
4-34 364.70 acres, more or less, of land being more particularly  
4-35 described as follows:

4-36 BEGINNING at the Southwest corner of the S. Richardson  
4-37 Survey, Abstract No. 460 and the Northwest corner of the T. F.  
4-38 Johnson Survey, the Eastern Southeast corner of the Montgomery  
4-39 County School Land Survey, Abstract No. 350, a Northeast intra  
4-40 corner of the Montgomery County School Land Survey, Abstract  
4-41 No. 351, and being Corner No. 1 hereof;

4-42 THENCE, S 00°30' W, 199.3 feet to Corner No. 2 hereof at the  
4-43 Southwest corner of the Bahr Capital Interests, Ltd land;

4-44 THENCE, East, 746.4 feet to Corner No. 3 hereof and the  
4-45 Second Corner of Tract 2 hereof;

4-46 THENCE, S 51°30' W, 2738 feet to Corner No. 4 hereof and  
4-47 Corner No. 1 of said Tract Two hereof, also being in the Northern  
4-48 boundary line of a 660 acre tract as conveyed to Winnifred Bender  
4-49 Beaman by said partition deed recorded in Volume 434, Page 441 of  
4-50 said Deed Records, and also being the Southeast corner of the Doris  
4-51 Eugenia Vaughan tract as described in said partition deed;

4-52 THENCE, N 38°35' W, 6268.4 feet to Corner No. 5 hereof and the  
4-53 Northeast corner of said Doris Eugenia Vaughan tract in the center  
4-54 of the Scott-Herrin Road;

4-55 THENCE, N 47°30' E, 800.4 feet with said Road [Deed (Volume  
4-56 434, Page 441) call of N 46°40' E, 759.2 feet] to Corner No. 6  
4-57 hereof;

4-58 THENCE, N 70°06' E, 1110.0 feet continuing with said road  
4-59 [Deed (Volume 434, Page 441) call of N 68°55' E, 1110 feet] to its  
4-60 intersection with the old Bender Tram Line for Corner No. 7 hereof;

4-61 THENCE, S 57°27' E, with said old Tram, 4397 feet [Deed  
4-62 (Volume 434, Page 441) call of S 57°12' E, 4397 feet] to Corner No. 8  
4-63 hereof in the West boundary line of the S. Richardson Survey;

4-64 THENCE, S 01°12'39" W, 1549.45 feet [Deed (Clerk's File  
4-65 No. 2004-021196) call South 01°13' W, 1549.6 feet] along the West  
4-66 line of the S. Richardson Survey to the PLACE OF BEGINNING AND  
4-67 CONTAINING within these bounds 364.70 acres, more or less, of land.

4-68 TRACT 2: 336.60 Acres

4-69 336.60 acres, more or less, of land, of which 110.5 acres,

5-1 more or less, lies in the Montgomery County School Land Survey,  
 5-2 Abstract No. 351, and 220.1 acres, more or less, lies in the T. F.  
 5-3 Johnson Survey, Abstract No. 299, and being the same land as  
 5-4 conveyed to Winnie Helen Hilliard by deed dated August 3, 1967,  
 5-5 recorded in Volume 646, Page 935 of the Montgomery County Deed  
 5-6 Records; said 336.60 acres, more or less, of land being more  
 5-7 particularly described as follows:

5-8 BEGINNING at Corner No. 4 of the Tract 1 herein, and Corner  
 5-9 No. 1 hereof;

5-10 THENCE, N 51°30' E, 2738.0 feet to a point for corner in the  
 5-11 Southern boundary line of said Blanche Bender tract for Corner  
 5-12 No. 2;

5-13 THENCE, East, 1009.6 feet with the Southern boundary line of  
 5-14 said Blanche Bender tract to Corner No. 3 hereof on the Western edge  
 5-15 of the Old Bender Tram Line;

5-16 THENCE, S 28°02' E, with said old Tram and/or road, 4024 feet  
 5-17 [Deed (Volume 434, Page 441) call of S 28°50' E, 3966.4 feet] to  
 5-18 Corner No. 4 hereof, on the Western side of said road, and being a  
 5-19 most Eastern corner of the Doris E. Vaughan 330 acres as described  
 5-20 in a deed recorded in Volume 646, Page 933 of said Deed Records;

5-21 THENCE, S 52°43' W, 2797.2 feet, [Deed (Volume 434, Page 441)  
 5-22 call of S 53° W, 2797.2 feet] to Corner No. 5 hereof and being a  
 5-23 re-entrant corner of the Doris E. Vaughan 330 acre tract;

5-24 THENCE, S 38°30'25" W, 4526.14 feet [Deed (Clerk's File  
 5-25 No. 2004-021196) call N 38°30' W, 4525.7 feet] to the PLACE OF  
 5-26 BEGINNING AND CONTAINING within these bounds 336.60 acres, more or  
 5-27 less, of land.

5-28 TRACT 3: 45.98 Acres

5-29 45.98 acres, more or less, of land situated in the Montgomery  
 5-30 County School Land Survey, Abstract Number 350, Montgomery County,  
 5-31 Texas; being the same 45.98 acre tract conveyed to Conroe  
 5-32 Independent School District by Agreed Final Judgement (Cause  
 5-33 No. 15-06-06177) dated January 19, 2017 and filed for record under  
 5-34 Clerk's File No. 2017011000 of the Montgomery County Official  
 5-35 Public Records of Real Property; said 45.98 acres being more  
 5-36 particularly described as follows with all bearings based on the  
 5-37 Texas Coordinate System of 1983, Central Zone:

5-38 BEGINNING, at a found 5/8-inch iron rod (with cap stamped  
 5-39 "Costello Inc") in the southwest line of said 364.70 acres, for the  
 5-40 north corner of a called 1.5371 acre tract conveyed to Montgomery  
 5-41 County Municipal Utility District No. 105 by Special Warranty Deed  
 5-42 dated December 18, 2013 and filed for record under Clerk's File  
 5-43 No. 2014010067 of the Montgomery County Official Public Records of  
 5-44 Real Property and an east corner of the remainder of a called  
 5-45 692.342 acre tract conveyed to Toll Houston TX, LLC by Special  
 5-46 Warranty Deed dated October 19, 2012 and filed for record under  
 5-47 Clerk's File No. 2012103106 of the Montgomery County Official  
 5-48 Public Records of Real Property;

5-49 THENCE, North 41°42'31" West, 1865.72 feet along the  
 5-50 northeast line of said 692.342 acres and the southwest line of said  
 5-51 364.70 acres to a set 3/4-inch iron rod (with cap stamped "Cotton  
 5-52 Surveying") from which a found 5/8-inch iron rod (with cap stamped  
 5-53 "VTSM 4070") in the southeast right-of-way of Riley Fuzzel Road  
 5-54 (width varies) bears North 41°42' 31" West, 667.13 feet;

5-55 THENCE, North 54°48'40" East, 1157.39 feet, departing the  
 5-56 northeast line of said 692.342 acres and the southwest line of said  
 5-57 364.70 acres to a set 3/4-inch iron rod (with cap stamped "Cotton  
 5-58 Surveying");

5-59 THENCE, North 35°11'20" West, 300.00 feet to a set 3/4-inch  
 5-60 iron rod (with cap stamped "Cotton Surveying") in the southeast  
 5-61 right-of-way of State Highway 99 (width varies) as recorded under  
 5-62 Clerk's File No. 2014081107 of the Montgomery County Official  
 5-63 Public Records of Real Property;

5-64 THENCE, North 54°48'40" East, 150.00 feet along the southeast  
 5-65 right-of-way of said State Highway 99 to a set 3/4-inch iron rod  
 5-66 (with cap stamped "Cotton Surveying");

5-67 THENCE, South 35°11'20" East, 1513.02 feet, departing the  
 5-68 southeast right-of-way of said State Highway 99 to a set 3/4-inch  
 5-69 iron rod (with cap stamped "Cotton Surveying");

6-1           THENCE, South 54°48'44" West, 14.30 feet to a set 3/4-inch  
6-2 iron rod (with cap stamped "Cotton Surveying");  
6-3           THENCE, South 38°13'15" West, 273.54 to a set 3/4-inch iron  
6-4 rod (with cap stamped "Cotton Surveying");  
6-5           THENCE, South 01°17'04" East, 500.95 feet to a set 3/4-inch  
6-6 iron rod (with cap stamped "Cotton Surveying");  
6-7           THENCE, South 17°49'25" East, 153.77 feet to a set 3/4-inch  
6-8 iron rod (with cap stamped "Cotton Surveying");  
6-9           THENCE, South 54°48'40" West, 493.76 feet to the PLACE OF  
6-10 BEGINNING AND CONTAINING within these bounds 45.98 acres, more or  
6-11 less, of land.  
6-12           TRACT 4: 315.26 Acres  
6-13           315.26 acres of land, more or less of land situated in the  
6-14 Thomas F. Johnson Survey, Abstract Number 299 and the Stephen  
6-15 Richardson Survey, Abstract Number 460, Montgomery County, Texas;  
6-16 being all of a called 320.833 acre tract conveyed to Bahr Capital  
6-17 Interests, LTD., Jack K. Leeka and Jack Keith Leeka, Jr. and  
6-18 Elizabeth Leeka Albert, Co-Trustees of the Leeka Revocable Trust  
6-19 Agreement by Warranty Deed(s) and filed for record under Clerk's  
6-20 File No.(s) 2006-003150, 2006-003151, and 2016042187 of the  
6-21 Montgomery County Official Public Records of Real Property; said  
6-22 315.26 acres being more particularly described as follows with all  
6-23 bearings based on the Texas Coordinate System of 1983, Central  
6-24 Zone:  
6-25           BEGINNING at a point in the west line of said 320.833 acres  
6-26 and the east line of a called 364.7 acre tract conveyed to Winnie  
6-27 Helen Hilliard, et al (undivided 75% interest) by General Warranty  
6-28 Deed dated August 14, 1987 and filed for record under Clerk's File  
6-29 No. 8737411 of the Montgomery County Official Public Records of  
6-30 Real Property and Bell Endeavors, LTD (undivided 25% interest) by  
6-31 Special Warranty Deed dated February 20, 2004 and filed for record  
6-32 under Clerk's File No. 2004-021196 of the Montgomery County  
6-33 Official Public Records of Real Property;  
6-34           THENCE, North 01°53'31" West, 3711.28 feet along the west line  
6-35 of said 320.833 acres and the east line of said 364.7 acres to a  
6-36 point for the northwest corner of said 320.833 acres and the  
6-37 northwest corner of the herein described tract;  
6-38           THENCE, North 87°56'56" East, 3444.04 feet along the north  
6-39 line of said 320.833 acres to point for the northeast corner of said  
6-40 320.833 acres and the herein described tract;  
6-41           THENCE, South 04°21'02" East, 3894.25 feet along the east line  
6-42 of said 320.833 acres point for the southeast corner of said 320.833  
6-43 acres and the herein described tract;  
6-44           THENCE, South 87°53'33" West, 3611.10 feet along the south  
6-45 line of said 320.833 acres point for the southwest corner of said  
6-46 320.833 acres, same being the southwest corner of the herein  
6-47 described tract;  
6-48           THENCE, North 01°53'31" West, 183.41 feet to the PLACE OF  
6-49 BEGINNING, CONTAINING within these bounds 315.26 acres, more or  
6-50 less, or land.  
6-51           SECTION 3. (a) The legal notice of the intention to  
6-52 introduce this Act, setting forth the general substance of this  
6-53 Act, has been published as provided by law, and the notice and a  
6-54 copy of this Act have been furnished to all persons, agencies,  
6-55 officials, or entities to which they are required to be furnished  
6-56 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
6-57 Government Code.  
6-58           (b) The governor, one of the required recipients, has  
6-59 submitted the notice and Act to the Texas Commission on  
6-60 Environmental Quality.  
6-61           (c) The Texas Commission on Environmental Quality has filed  
6-62 its recommendations relating to this Act with the governor, the  
6-63 lieutenant governor, and the speaker of the house of  
6-64 representatives within the required time.  
6-65           (d) All requirements of the constitution and laws of this  
6-66 state and the rules and procedures of the legislature with respect  
6-67 to the notice, introduction, and passage of this Act are fulfilled  
6-68 and accomplished.  
6-69           SECTION 4. (a) Section 9082.0306, Special District Local

7-1 Laws Code, as added by Section 1 of this Act, takes effect only if  
7-2 this Act receives a two-thirds vote of all the members elected to  
7-3 each house.

7-4 (b) If this Act does not receive a two-thirds vote of all the  
7-5 members elected to each house, Subchapter C, Chapter 9082, Special  
7-6 District Local Laws Code, as added by Section 1 of this Act, is  
7-7 amended by adding Section 9082.0306 to read as follows:

7-8 Sec. 9082.0306. NO EMINENT DOMAIN POWER. The district may  
7-9 not exercise the power of eminent domain.

7-10 (c) This section is not intended to be an expression of a  
7-11 legislative interpretation of the requirements of Section 17(c),  
7-12 Article I, Texas Constitution.

7-13 SECTION 5. This Act takes effect immediately if it receives  
7-14 a vote of two-thirds of all the members elected to each house, as  
7-15 provided by Section 39, Article III, Texas Constitution. If this  
7-16 Act does not receive the vote necessary for immediate effect, this  
7-17 Act takes effect September 1, 2021.

7-18

\* \* \* \* \*