

By: Miller

H.B. No. 4297

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Telfair Tract 5 Commercial Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3953 to read as follows:

CHAPTER 3953. TELFAIR TRACT 5 COMMERCIAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3953.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Sugar Land.

(3) "Director" means a board member.

(4) "District" means the Telfair Tract 5 Commercial Management District.

Sec. 3953.002. NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3953.003. PURPOSE; LEGISLATIVE FINDINGS. (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 and other political subdivisions to contract with the district, the

1 legislature has established a program to accomplish the public
2 purposes set out in Section 52-a, Article III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,
4 develop, encourage, and maintain employment, commerce,
5 transportation, housing, tourism, recreation, the arts,
6 entertainment, economic development, safety, and the public
7 welfare in the district.

8 (c) This chapter and the creation of the district may not be
9 interpreted to relieve the city from providing the level of
10 services provided as of the effective date of the Act enacting this
11 chapter. The district is created to supplement and not to supplant
12 city services provided in the district.

13 Sec. 3953.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
14 The district is created to serve a public use and benefit.

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

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

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

24 (2) eliminating unemployment and underemployment; and

25 (3) developing or expanding transportation and
26 commerce.

27 (d) The district will:

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

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

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

11 (e) Pedestrian ways along or across a street, whether at
12 grade or above or below the surface, and street lighting, street
13 landscaping, parking, and street art objects are parts of and
14 necessary components of a street and are considered to be a street
15 or road improvement.

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

19 Sec. 3953.005. INITIAL DISTRICT TERRITORY. (a) The
20 district is initially composed of the territory described by
21 Section 2 of the Act enacting this chapter.

22 (b) The boundaries and field notes contained in Section 2 of
23 the Act enacting this chapter form a closure. A mistake in the
24 field notes or in copying the field notes in the legislative process
25 does not affect the district's:

26 (1) organization, existence, or validity;

27 (2) right to issue any type of bonds for the purposes

for which the district is created or to pay the principal of and interest on the bonds;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 3953.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code;

(3) an enterprise zone created under Chapter 2303, Government Code; or

(4) an industrial district created under Chapter 42, Local Government Code.

(b) If the city creates a tax increment reinvestment zone described by Subsection (a), the city and the board of directors of the zone, by contract with the district, may grant money deposited in the tax increment fund to the district to be used by the district for the purposes permitted for money granted to a corporation under Section 380.002(b), Local Government Code, including the right to pledge the money as security for any bonds issued by the district for an improvement project. A project may not receive public funds under Section 380.002(b), Local Government Code, unless the project has been approved by the governing body of the city.

Sec. 3953.007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter,

Chapter 375, Local Government Code, applies to the district.

Sec. 3953.008. 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. 3953.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of nine voting directors appointed by the governing body of the city under Section 3953.052 who serve staggered terms of four years with four or five directors' terms expiring June 1 of each odd-numbered year.

(b) The board by resolution may increase or decrease the number of voting directors on the board if the board determines the change is in the best interest of the district. The board may not:

(1) increase the number of voting directors to more than 20; or

(2) decrease the number of voting directors to fewer than nine.

Sec. 3953.052. APPOINTMENT OF VOTING DIRECTORS; QUALIFICATIONS. (a) In this section, "city stakeholder" means:

(1) a person who owns property in the city;

(2) an owner of stock or of a partnership interest or membership interest, whether beneficial or otherwise, of a corporation, corporate partnership, limited liability company, or other entity that owns a direct or indirect interest in property in the city;

(3) an owner of a beneficial interest in a trust that owns a direct or indirect interest in property in the city; or

1 (4) an agent, employee, or tenant of a person
2 described by Subdivision (1), (2), or (3).

3 (b) The governing body of the city shall appoint to serve as
4 voting directors the appropriate number of qualified persons. In
5 appointing voting directors, the governing body shall ensure that
6 the resulting board has city stakeholders serving in at least
7 two-thirds of the voting director positions.

8 (c) In determining persons to serve as voting directors, the
9 governing body shall consider for appointment:

10 (1) persons recommended by the board; and

11 (2) a number of persons recommended by any city
12 stakeholder who makes a recommendation and who owns at least seven
13 acres of land inside the district's boundaries, except that the
14 number of persons recommended for consideration by the city
15 stakeholder may not exceed a total of one person for the first seven
16 acres of land the city stakeholder owns and not more than one
17 additional person for each additional 15 acres the city stakeholder
18 owns.

19 (d) The governing body is not bound by the recommendations
20 of the board or a city stakeholder and may appoint as a voting
21 director any qualified person.

22 Sec. 3953.053. NONVOTING DIRECTORS. The board may appoint
23 nonvoting directors to serve on the board.

24 Sec. 3953.054. REMOVAL OF DIRECTORS. (a) The board shall
25 remove a director if the director has missed at least half the
26 meetings scheduled during the preceding 12 months.

27 (b) A director removed under this section may file a written

appeal with the governing body of the city. The governing body may
reinstate the director if the body finds that the removal was
unwarranted under the circumstances after considering the reasons
for the absences.

Sec. 3953.055. 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.

Sec. 3953.056. INITIAL VOTING DIRECTORS. (a) The initial
board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	_____
<u>2</u>	_____
<u>3</u>	_____
<u>4</u>	_____
<u>5</u>	_____
<u>6</u>	_____
<u>7</u>	_____
<u>8</u>	_____
<u>9</u>	_____

(b) Of the initial directors, the terms of directors
appointed for positions one through five expire June 1, 2019, and
the terms of directors appointed for positions six through nine

expire June 1, 2021.

(c) Section 3953.052 does not apply to this section.

(d) This section expires September 1, 2021.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3953.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3953.102. 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 372 or 375, Local Government Code.

Sec. 3953.103. LOCATION OF IMPROVEMENT PROJECT. An improvement project described by Section 3953.102 may be located:

(1) in the district; or

(2) in an area outside the district if the project is for the purpose of extending a public infrastructure improvement beyond the district's boundaries to a logical terminus.

Sec. 3953.104. PUBLIC IMPROVEMENT DISTRICT POWERS. The district has the powers provided by Chapter 372, Local Government Code, to a municipality or county.

Sec. 3953.105. MUNICIPAL MANAGEMENT DISTRICT POWERS. The district has the powers provided by Chapter 375, Local Government Code.

1 Sec. 3953.106. DEVELOPMENT CORPORATION POWERS. The
2 district, using money available to the district, may exercise the
3 powers given to a development corporation under Chapter 505, Local
4 Government Code, including the power to own, operate, acquire,
5 construct, lease, improve, or maintain a project under that
6 chapter.

7 Sec. 3953.107. NONPROFIT CORPORATION. (a) The board by
8 resolution may authorize the creation of a nonprofit corporation to
9 assist and act for the district in implementing a project or
10 providing a service authorized by this chapter.

11 (b) The nonprofit corporation:

12 (1) has each power of and is considered to be a local
13 government corporation created under Subchapter D, Chapter 431,
14 Transportation Code; and

15 (2) may implement any project and provide any service
16 authorized by this chapter.

17 (c) The board shall appoint the board of directors of the
18 nonprofit corporation. The board of directors of the nonprofit
19 corporation shall serve in the same manner as the board of directors
20 of a local government corporation created under Subchapter D,
21 Chapter 431, Transportation Code, except that a board member is not
22 required to reside in the district.

23 Sec. 3953.108. AGREEMENTS; GRANTS. (a) As provided by
24 Chapter 375, Local Government Code, the district may make an
25 agreement with or accept a gift, grant, or loan from any person.

26 (b) The implementation of a project is a governmental
27 function or service for the purposes of Chapter 791, Government

1 Code.

2 Sec. 3953.109. LAW ENFORCEMENT SERVICES. To protect the
3 public interest, the district may contract with a qualified party
4 to provide law enforcement services for a fee.

5 Sec. 3953.110. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
6 district may join and pay dues to a charitable or nonprofit
7 organization that performs a service or provides an activity
8 consistent with the furtherance of a district purpose.

9 Sec. 3953.111. ECONOMIC DEVELOPMENT. (a) The district may
10 engage in activities that accomplish the economic development
11 purposes of the district.

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

16 (1) make loans and grants of public money; and

17 (2) provide district personnel and services,
18 including for the management of recreational facilities.

19 (c) The district may create economic development programs
20 and exercise the economic development powers provided to
21 municipalities by:

22 (1) Chapter 380, Local Government Code; and

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

24 Sec. 3953.112. PARKING FACILITIES. (a) The district may
25 acquire, lease as lessor or lessee, construct, develop, own,
26 operate, and maintain parking facilities or a system of parking
27 facilities, including lots, garages, parking terminals, or other

1 structures or accommodations for parking motor vehicles off the
2 streets and related appurtenances.

3 (b) The district's parking facilities serve the public
4 purposes of the district and are owned, used, and held for a public
5 purpose even if leased or operated by a private entity for a term of
6 years.

7 (c) The district's parking facilities are parts of and
8 necessary components of a street and are considered to be a street
9 or road improvement.

10 (d) The development and operation of the district's parking
11 facilities may be considered an economic development program.

12 Sec. 3953.113. ANNEXATION OR EXCLUSION OF LAND. (a) The
13 district may annex land as provided by Subchapter J, Chapter 49,
14 Water Code.

15 (b) The district may exclude land as provided by Subchapter
16 J, Chapter 49, Water Code. Section 375.044(b), Local Government
17 Code, does not apply to the district.

18 Sec. 3953.114. APPROVAL BY CITY. (a) Except as provided by
19 Subsection (b), the district must obtain the approval of the city
20 for:

21 (1) the issuance of bonds for an improvement project
22 financed by the bonds if any part of the project is carried out in
23 the corporate limits of the city; and

24 (2) the plans and specifications of the improvement
25 project financed by the bonds.

26 (b) If the district obtains the approval of the city's
27 governing body of a capital improvements budget for a period not to

1 exceed five years, the district may finance the capital
2 improvements and issue bonds specified in the budget without
3 further approval from the city.

4 Sec. 3953.115. CONCURRENCE ON ADDITIONAL POWERS. If the
5 legislature grants the district a power that is in addition to the
6 powers approved by the initial resolution of the governing body of
7 the city consenting to the creation of the district, the district
8 may not exercise that power unless the governing body of the city by
9 resolution consents to that change.

10 Sec. 3953.116. NO EMINENT DOMAIN POWER. The district may
11 not exercise the power of eminent domain.

12 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

13 Sec. 3953.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
14 board by resolution shall establish the number of directors'
15 signatures and the procedure required for a disbursement or
16 transfer of district money.

17 Sec. 3953.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
18 The district may acquire, construct, finance, operate, or maintain
19 any improvement or service authorized under this chapter or Chapter
20 375, Local Government Code, using any money available to the
21 district.

22 Sec. 3953.153. PETITION REQUIRED FOR FINANCING SERVICES AND
23 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
24 service or improvement project with assessments under this chapter
25 unless a written petition requesting that service or improvement
26 has been filed with the board.

27 (b) The petition 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. 3953.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district in the manner provided for:

(1) a district under Subchapters A, E, and F, Chapter 375, Local Government Code; or

(2) a municipality or county under Subchapter A, Chapter 372, Local Government Code.

(b) 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.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the

board may enforce an ad valorem tax lien against real property.

(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.

Sec. 3953.155. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to a tax authorized or approved by the voters of the district or a required payment for a service provided by the district, including water and sewer services.

Sec. 3953.156. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of district taxes or assessments on property in the zones.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3953.201. TAX ABATEMENT. The district may enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to a tax abatement agreement by a municipality.

Sec. 3953.202. ELECTIONS REGARDING TAXES AND BONDS. (a) The district may issue, without an election, bonds, notes, and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 3953.204.

(b) The district must hold an election in the manner provided by Subchapter L, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

1 (c) Section 375.243, Local Government Code, does not apply
2 to the district.

3 (d) All or any part of any facilities or improvements that
4 may be acquired by a district by the issuance of its bonds may be
5 submitted as a single proposition or as several propositions to be
6 voted on at the election.

7 Sec. 3953.203. OPERATION AND MAINTENANCE TAX. (a) If
8 authorized by a majority of the district voters voting at an
9 election held in accordance with Section 3953.202, the district may
10 impose an operation and maintenance tax on taxable property in the
11 district in accordance with Section 49.107, Water Code, for any
12 district purpose, including to:

13 (1) maintain and operate the district;

14 (2) construct or acquire improvements; or

15 (3) provide a service.

16 (b) The board shall determine the tax rate. The rate may not
17 exceed the rate approved at the election.

18 (c) Section 49.107(h), Water Code, does not apply to the
19 district.

20 Sec. 3953.204. CONTRACT TAXES. (a) In accordance with
21 Section 49.108, Water Code, the district may impose a tax other than
22 an operation and maintenance tax and use the revenue derived from
23 the tax to make payments under a contract after the provisions of
24 the contract have been approved by a majority of the district voters
25 voting at an election held for that purpose.

26 (b) A contract approved by the district voters may contain a
27 provision stating that the contract may be modified or amended by

1 the board without further voter approval.

2 Sec. 3953.205. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
3 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
4 determined by the board. Section 375.205, Local Government Code,
5 does not apply to a loan, line of credit, or other borrowing from a
6 bank or financial institution secured by revenue other than ad
7 valorem taxes.

8 (b) The district may issue bonds, notes, or other
9 obligations payable wholly or partly from ad valorem taxes,
10 assessments, impact fees, revenue, contract payments, grants, or
11 other district money, or any combination of those sources of money,
12 to pay for any authorized district purpose.

13 (c) The limitation on the outstanding principal amount of
14 bonds, notes, and other obligations provided by Section 49.4645,
15 Water Code, does not apply to the district.

16 Sec. 3953.206. TAXES FOR BONDS. At the time the district
17 issues bonds payable wholly or partly from ad valorem taxes, the
18 board shall provide for the annual imposition of a continuing
19 direct annual ad valorem tax, without limit as to rate or amount,
20 for each year that all or part of the bonds are outstanding as
21 required and in the manner provided by Sections 54.601 and 54.602,
22 Water Code.

23 SUBCHAPTER F. DISSOLUTION

24 Sec. 3953.251. DISSOLUTION BY CITY ORDINANCE. (a) The city
25 by ordinance may dissolve the district.

26 (b) The city may not dissolve the district until the
27 district's outstanding debt or contractual obligations that are

1 payable from ad valorem taxes have been repaid or discharged, or the
2 city has affirmatively assumed the obligation to pay the
3 outstanding debt from city revenue.

4 Sec. 3953.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

5 (a) If the dissolved district has bonds or other obligations
6 outstanding secured by and payable from assessments or other
7 revenue, other than ad valorem taxes, the city shall succeed to the
8 rights and obligations of the district regarding enforcement and
9 collection of the assessments or other revenue.

10 (b) The city shall have and exercise all district powers to
11 enforce and collect the assessments or other revenue to pay:

12 (1) the bonds or other obligations when due and
13 payable according to their terms; or

14 (2) special revenue or assessment bonds or other
15 obligations issued by the city to refund the outstanding bonds or
16 obligations.

17 Sec. 3953.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
18 After the city dissolves the district, the city assumes, subject to
19 the appropriation and availability of funds, the obligations of the
20 district, including any bonds or other debt payable from
21 assessments or other district revenue.

22 (b) After the district is dissolved, the board shall
23 transfer ownership of all district property to the city.

24 SECTION 2. The Telfair Tract 5 Commercial Management
25 District initially includes all the territory contained in the
26 following area:

27 Telfair Tract 5 Commercial Management District - Metes and Bounds

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1 The Point of Beginning is 29°34'35.280" N and 95°38'51.525" W. It
2 describes the intersection of University Boulevard E ROW boundary
3 and Lexington Boulevard S ROW boundary.

4 1. Proceeding from Point of Beginning to SE ROW line 1555.17
5 feet to limits of Lexington Boulevard ROW adjacent to 21-acre city
6 property boundary.

7 2. Heading SE 907.67 feet adjacent to the boundary of city
8 property terminating at the limits of the Fort Bend Levee
9 Improvement District No. 17 ROW. (F.N. 2014126419 F.B.C.C.F.)

10 3. Heading NW 2076.70 feet adjacent to the SW boundary of
11 Fort Bend County Levee Improvement District No. 17 property,
12 joining the S Lexington Boulevard ROW boundary.

13 4. Heading E 112.05 feet adjacent to the SE Lexington
14 Boulevard ROW line terminating within Fort Bend County Levee
15 Improvement District Property at 29°34'55.646"N and 95°38'26.975"W

16 5. Heading N 964.73 feet adjacent to the Fort Bend County
17 Levee Improvement District No. 17 Drainage Ditch to the
18 intersection of US59 Frontage Texas Department of Transportation S
19 ROW.

20 6. Heading SW 2164.11 feet adjacent to US59 Frontage Texas
21 Department of Transportation S ROW to intersection of Texas
22 Department of Transportation Tract 121, Part 3, bounded by US59 to
23 the N and University Boulevard to the W.

24 7. Heading SW 615.96 feet adjacent to US59 Frontage Road ROW
25 to intersection of NE ROW boundary of University Boulevard.

26 8. Heading SW 517.90 feet adjacent to the E ROW boundary of
27 University Boulevard terminating at the property boundary of Tract

121, Part 3 as recorded in the Alexander Hodge Survey Abstract Number 32, Fort Bend County, Texas.

9. Heading S 328.33 feet adjacent to the University Boulevard E ROW boundary, terminating at the S ROW boundary at Aberfeldy Street.

10. Heading E 680.44 feet adjacent to Aberfeldy Street S ROW, bounded by Texas Instruments Inc. (TxDot Tract 5, Block 1, 5.921 Ac. Reserve A) to the S, terminating at the intersection of Aberfeldy Street and Tamarind Street at 29° 34'40.788" N and 95°38'43.515"W

11. Heading S 453.13 feet adjacent to Tamarind Street, terminating at 29°34'36.228"N and 95°38'44.098"W bounded by Lexington Boulevard N ROW boundary to the S and Texas Instruments Inc. (TxDot Tract 5, Block 1, 5.921 Ac. Reserve A) to the N.

12. Heading W 663.20 feet adjacent to Lexington Boulevard N ROW boundary terminating at the intersection of University Boulevard E ROW boundary at 29°34'37.083"N and 95°38'51.151"W.

13. Heading S 201.19 feet adjacent to the University Boulevard terminating at the Point of Beginning containing the 319.633 acres of land.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

8 (d) The general law relating to consent by political
9 subdivisions to the creation of districts with conservation,
10 reclamation, and road powers and the inclusion of land in those
11 districts has been complied with.

12 (e) All requirements of the constitution and laws of this
13 state and the rules and procedures of the legislature with respect
14 to the notice, introduction, and passage of this Act have been
15 fulfilled and accomplished.

16 SECTION 4. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2017.