CHAPTER 1056

H.B. No. 4642

AN ACT
relating to the Representative Jim Solis and Colonel H. William "Bill" Card, Jr., Outpatient Clinic.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 13, Health and Safety Code, is amended by adding Section 13.007 to read as follows:

Sec. 13.007. REPRESENTATIVE JIM SOLIS AND COLONEL H. WILLIAM "BILL" CARD, JR., OUTPATIENT CLINIC. The outpatient clinic operated by the South Texas Health Care System in Harlingen, Texas, is named the Representative Jim Solis and Colonel H. William "Bill" Card, Jr., Outpatient Clinic in honor of Representative Jim Solis and Colonel H. William "Bill" Card, Jr.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on April 30, 2009: Yeas 144, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 4642 on May 29, 2009: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1057

H.B. No. 4661

AN ACT
relating to the rate of the municipal hotel occupancy tax in certain municipalities and to the use of certain revenue from the tax.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 351, Tax Code, is amended by adding Section 351.0035 to read as follows:

Sec. 351.0035. TAX RATE AND USE IN CERTAIN MUNICIPALITIES. (a) The tax imposed by this chapter in a home-rule municipality that was originally chartered in or after 1938, that is home to a major state university, and that is located in a county bordered by the Brazos and Navasota Rivers, may be imposed at any rate not to exceed 7.75 percent of the price paid for a room in a hotel.

(b) The municipality shall allocate for the construction of a convention center in the municipality all revenue received by the municipality that is derived from the application of the tax at a rate of more than seven percent of the price paid for a room in a hotel.

(c) The municipality may not increase the rate of the tax to a rate above seven percent before the date the municipality executes a contract for the construction of the convention center.

(d) This section expires on the date the governing body of the municipality certifies that all debt relating to the convention center payable from the tax, including interest and any costs relating to the debt, has been paid in full or a deposit has been made and an escrow agreement in relation to the debt has been executed.

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SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on May 5, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 1058
H.B. No. 4698

AN ACT relating to the creation of the Lake Weatherford Municipal Utility Districts Nos. 1 and 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapters 8324 and 8325 to read as follows:

CHAPTER 8324. LAKE WEATHERFORD MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8324.001. DEFINITIONS. In this chapter:

(1) “Board” means the district’s board of directors.

(2) “Director” means a board member.

(3) “District” means the Lake Weatherford Municipal Utility District No. 1.

Sec. 8324.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8324.003. CONFIRMATION AND DIRECTORS’ ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8324.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8324.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 8324.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

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

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

Sec. 8324.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2(a) of the Act creating this chapter.

(b) The boundaries and field notes contained in Section 2(a) of the Act creating this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district’s:

(1) organization, existence, or validity;