(1) proper and 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 by the constitution and laws of this state, including the governor, who has submitted the notice and Act to the Texas Commission on Environmental Quality;

(2) the Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time;

(3) the general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with; and

(4) all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 5. EFFECTIVE DATE. 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 12, 2009: Yeas 149, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 4722 on May 29, 2009: Yeas 142, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 1069

H.B. No. 4723

AN ACT

relating to the powers and duties of the Bayview Municipal Utility District of Galveston County; providing authority to impose a tax and issue bonds.

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

SECTION 1. Subchapter B, Chapter 6901, Special District Local Laws Code, is amended by adding Section 6901.061 to read as follows:

Sec. 6901.061. DEFINED AREAS. (a) Notwithstanding the limitation on authorization based on acreage under Section 54.801(a), Water Code, the district may establish and administer defined areas as provided by Subchapter J, Chapter 54, Water Code.

(b) Under Section 52, Article III, Texas Constitution, the district may construct, acquire, improve, maintain, or operate in a defined area established under this section:

(1) macadamized, graveled, or paved roads; or

(2) improvements, including storm drainage, in aid of those roads.

(c) The district may issue bonds or other obligations as provided by Chapters 49 and 53, Water Code, to finance the construction, acquisition, improvement, maintenance, or operation of projects under Subsection (b).

(d) The district may impose an ad valorem tax on real property in a defined area to pay the principal of or interest on bonds issued under Subsection (c) to finance projects benefiting the defined area.

(e) The district may not issue bonds or other obligations secured wholly or partly by ad valorem taxes to finance a project authorized by Subsection (b) unless the issuance is approved by a vote of a two-thirds majority of the voters of the defined area to be benefited by the project as provided by Subchapter J, Chapter 54, Water Code, voting at an election called
for that purpose. The simple majority vote approval required by Section 54.808(a), Water Code, does not apply to an election under this subsection.

(f) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance projects authorized by Subsection (b) benefiting a defined area may not exceed one-fourth of the assessed value of the real property in the defined area.

SECTION 2. (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.

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

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

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

SECTION 3. 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 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1070

H.B. No. 4727

AN ACT
relating to the powers and duties of the Sienna Plantation Management District; providing authority to impose a fee or issue bonds.

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

SECTION 1. Subchapter B, Chapter 3829, Special District Local Laws Code, is amended by adding Section 3829.054 to read as follows:

Sec. 3829.054. COMPENSATION. (a) A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.060, Water Code.

(b) Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

SECTION 2. Section 3829.105, Special District Local Laws Code, is amended to read as follows:

Sec. 3829.105. COMPETITIVE BIDDING. (a) Subchapter I, Chapter 49, Water Code, applies to the district.

(b) Sections 375.221 and 375.223, Local Government Code, do not apply to the district. [Section 375.221, Local Government Code, applies to the district only for a contract that has a value greater than $25,000.]

SECTION 3. Subchapter C, Chapter 3829, Special District Local Laws Code, is amended by adding Sections 3829.108 and 3829.109 to read as follows:

Sec. 3829.108. ANNEXATION OR EXCLUSION OF LAND. (a) The district may annex land as provided by Subchapter J, Chapter 49, Water Code.