bears N41°26'31"W 200 feet from Highway No. 59 centerline station 164+49.77 and also marks the beginning of a Control of Access Line; 

THENCE across and severing said 20.198 Acre Tract, S48°33'29"W, at 369.77 feet and N41°26'31"W 200 feet from station 161+10.00 pass the end of said Control of Access Line and continue on same course a total distance of 399.77 feet to an interior corner of said 20.198 Acre Tract and the East corner of a 1.250 Acre Tract conveyed to the Polk County Chamber of Commerce by deed recorded in Volume 1089, Page 79 of said Official Records, found a concrete monument with a 1/2" iron rod for corner which bears N41°26'31"W 200 feet from said Highway centerline at station 160+50.00; 

THENCE with the Northeast Line of said 1.250 Acre Tract, the Northeast Line of said 224.204 Acre Tract, and the Southwest Line of said 20.198 Acre Tract, N41°33'13"W 1,149.34 feet to the Place of Beginning and containing 10.549 Acres of Land. 

The bearings described herein are based upon the most Westerly Northwest Line of said 20.198 Acre Tract.

(g) Polk County shall pay any transaction fees resulting from the transfer of property under this Act. 

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 the Senate on April 9, 2009: Yeas 31, Nays 0; passed the House on May 26, 2009: Yeas 145, Nays 0, one present not voting.

Approved June 19, 2009. 


CHAPTER 546

S.B. No. 1676

AN ACT 

relating to fees charged by certain counties near international borders for issuing certain utility certificates. 

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

SECTION 1. Subsection (g), Section 232.028, Local Government Code, is amended to read as follows:

(g) The commissioners court may impose a fee for a certificate issued under this section for a subdivision [part of which is located in the county and not within the limits [the extraterritorial jurisdiction] of a municipality [and part of which is not located in the extraterritorial jurisdiction of the municipality]]. The amount of the fee may be the greater of $30 or the amount of the fee imposed by the municipality for a subdivision that is located entirely in the extraterritorial jurisdiction of the municipality for a certificate issued under Section 212.0115. A person who obtains a certificate under this section is not required to obtain a certificate under Section 212.0115. 

SECTION 2. Section 232.029, Local Government Code, is amended by adding Subsection (n) to read as follows:

(n) The commissioners court may impose a fee for a certificate issued under this section for a subdivision which is located in the county and not within the limits of a municipality. The amount of the fee may be the greater of $30 or the amount of the fee imposed by the municipality for a subdivision that is located entirely in the extraterritorial jurisdiction of the municipality for a certificate issued under Section 212.0115. A person who obtains a certificate under this section is not required to obtain a certificate under Section 212.0115. 

SECTION 3. This Act takes effect September 1, 2009.

1249
CHAPTER 547

S.B. No. 1699

AN ACT
relating to consistency among certain secretary of state filings.

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

SECTION 1. Subsections (a) and (b), Section 9.525, Business & Commerce Code, are amended to read as follows:

(a) Except as otherwise provided in Subsections (b), (e), and (f), the fee for filing and indexing a record under this subchapter, other than an initial financing statement of the kind described in Subsection (b), is:

(1) $15 if the record is communicated in writing and consists of one or two pages;
(2) $30 if the record is communicated in writing and consists of more than two pages; and
(3) $5 if the record is communicated by another medium authorized by filing-office rule.

(b) Except as otherwise provided in Subsection (e), the fee for filing and indexing an initial financing statement of the following kinds is:

(1) $60 if the financing statement indicates that it is filed in connection with a public-finance transaction; [and]
(2) $60 if the financing statement indicates that it is filed in connection with a manufactured-home transaction; and
(3) $60 if the debtor is a transmitting utility.

SECTION 2. Subsection (b), Section 9.526, Business & Commerce Code, is amended to read as follows:

To keep the filing-office rules and practices of the filing office in harmony with the rules and practices of filing offices in other jurisdictions that enact substantially this subchapter, and to keep the technology used by the filing office compatible with the technology used by filing offices in other jurisdictions that enact substantially this subchapter, the Secretary of State, so far as is consistent with the purposes, policies, and provisions of this chapter, in adopting, amending, and repealing filing-office rules, shall:

(1) consult with filing offices in other jurisdictions that enact substantially this subchapter;
(2) consult the most recent version of the Model Administrative Rules promulgated by the International Association of Commercial [Corporation] Administrators or any successor organization; and
(3) take into consideration the rules and practices of, and the technology used by, filing offices in other jurisdictions that enact substantially this subchapter.

SECTION 3. Section 9.527, Business & Commerce Code, is amended to read as follows:

Sec. 9.527. DUTY TO REPORT. The Secretary of State shall report before January 1 of each odd-numbered year to the Legislature on the operation of the filing office. The report must contain a statement of the extent to which:

(1) the filing-office rules are not in harmony with the rules of filing offices in other jurisdictions that enact substantially this subchapter and the reasons for these variations; and