(b) The board shall grant a temporary license for a dentist whose practice consists only of voluntary charity care to a reputable dentist who meets the requirements of Sections 256.101(a)(3), (4), and (5) and who:

(1) ceased practicing dentistry in another state that the board has determined has licensing requirements that are substantially similar to the requirements of this state not more than two years before the date the dentist applies for a license under this section and was licensed in good standing at the time the dentist ceased practicing dentistry; or

(2) is currently licensed in another state that the board has determined has licensing requirements that are substantially similar to the requirements of this state.

(c) A dentist issued a license under this section shall:

(1) confine the dentist’s practice to voluntary charity care;
(2) practice only in a geographic area specified by the license; and
(3) practice only for the period specified by the license.

(d) The board shall adopt rules as necessary to implement this section.

(e) The board shall take disciplinary action against a dentist licensed under this section for a violation of this subtitle or board rules in the same manner as against a dentist licensed under Subchapter A.

SECTION 2. The State Board of Dental Examiners shall adopt rules as necessary to implement Section 256.1016, Occupations Code, as added by this Act, not later than January 1, 2014.

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, 2013.

Passed by the House on April 17, 2013: Yeas 147, Nays 0, 1 present, not voting; passed by the Senate on May 17, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.
Effective June 14, 2013.

CHAPTER 307

H.B. No. 1492

AN ACT
relating to the creation of the Montgomery County Municipal Utility District No. 140; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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 Chapter 8425 to read as follows:

CHAPTER 8425. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 140

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8425.001. DEFINITIONS. In this chapter:

(1) “Board” means the district’s board of directors.
(2) “Commission” means the Texas Commission on Environmental Quality.
(3) “Director” means a board member.

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Sec. 8425.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8425.003. 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. 8425.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8425.003 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. 8425.005. 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. 8425.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting 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;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8425.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8425.052, directors serve staggered four-year terms.

Sec. 8425.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8425.003; or

(2) the fourth anniversary of the effective date of the Act enacting this chapter.

(c) If permanent directors have not been elected under Section 8425.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8425.003; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.
SUBCHAPTER C. POWERS AND DUTIES

Sec. 8425.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8425.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8425.103. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 8425.104. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8425.105. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8425.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8425.153.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

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

Sec. 8425.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8425.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 8425.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

Sec. 8425.154. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if:

(1) the district has no outstanding bonded debt;
(2) the district is not imposing ad valorem taxes; and
(3) the requirement of Subsection (i) is satisfied.

(b) This chapter applies to any new district created by the division of the district, and a
new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may not, at the time the new
district is created, contain any land outside the area described by Section 2 of the Act
creating this chapter.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners
of a majority of the assessed value of the real property in the district, may adopt an order
dividing the district.

(e) The board may adopt an order dividing the district before or after the date the board
holds an election under Section 8425.151 to authorize the district's bonds.

(f) An order dividing the district shall:
   (1) name each new district;
   (2) include the metes and bounds description of the territory of each new district;
   (3) appoint temporary directors for each new district; and
   (4) provide for the division of assets and liabilities between or among the new districts.

(g) On or before the 30th day after the date of adoption of an order dividing the district,
the district shall file the order with the Texas Commission on Environmental Quality and
record the order in the real property records of each county in which the district is located.

(h) Any new district created by the division of the district shall hold a confirmation and
directors' election as required by Section 8425.003.

(i) If the district is located wholly or partly in the corporate limits or the extraterritorial
jurisdiction of a municipality, the district may not divide under this subchapter unless the
municipality by resolution or ordinance consents to the division of the district.

(j) Any new district created by the division of the district must hold an election as
required by this chapter to obtain voter approval before the district may impose a mainte-
nance tax or issue bonds payable wholly or partly from ad valorem taxes.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8425.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The
district may issue bonds or other obligations payable wholly or partly from ad valorem
taxes, impact fees, revenue, contract payments, grants, or other district money, or any
combination of those sources, to pay for any authorized district purpose.

Sec. 8425.202. TAXES FOR BONDS. At the time the district issues bonds payable
wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of
a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of
the bonds are outstanding as required and in the manner provided by Sections 54.601 and
54.602, Water Code.

Sec. 8425.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total
principal amount of bonds or other obligations issued or incurred to finance road projects
and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the
real property in the district.

SECTION 2. The Montgomery County Municipal Utility District No. 140 initially includes
all the territory contained in the following area:

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 1207.52
ACRES OF LAND SITUATED IN THE WILLIAM VINCE SURVEY, ABSTRACT No.
581, MONTGOMERY COUNTY, TEXAS, AND SAME BEING ALL OF A CALLED 906.6
ACRE TRACT AS RECORDED IN VOLUME 593, PAGE 232, DEED RECORDS MONT-
GOMERY COUNTY, TEXAS, ALL OF A CALLED 152.5 ACRE TRACT AS RECORDED
IN VOLUME 1106, PAGE 729 DEED RECORDS MONTGOMERY COUNTY, TEXAS
AND ALL OF A CALLED 152.5 ACRE TRACT AS RECORDED IN VOLUME 467, PAGE
1062
BEING THE 617 DEED RECORDS MONTGOMERY COUNTY, TEXAS; SAID 1207.52 ACRE TRACT AS FOLLOWS, TO-WIT:

BEGINNING at a fence corner found for an interior corner of a called 1665 acre tract as recorded in Montgomery County Clerk's File No. 9521239, same being the northeast corner of said 906.6 acre tract, and this herein described tract;

THENCE South 20 degrees 59 minutes 02 seconds East, a distance of 8513.69 feet with the east line of said William Vince Survey, same being the west line of the B.B. and C. R.R. Co. Survey, Abstract No. 112, and the west line of said 1665 acre tract, to a 5/8 inch iron rod set in the north margin of a 170 foot wide drainage easement as recorded in Montgomery County Clerk's File No. 9519948 for the southeast corner of said 906.6 acre tract and this herein described tract;

THENCE South 89 degrees 52 minutes 51 seconds West, a distance of 7796.46 feet with the south line of said William Vince Survey, same being the north line of the George Mason Survey, Abstract No. 341 and said 170 wide drainage easement to a 5/8 inch iron rod set in the east bank of the San Jacinto River (West Fork) for the southwest corner of said 906.6 acre tract and this herein described tract;

THENCE along the east bank of said San Jacinto River with the following meanders:

THENCE North 11 degrees 49 minutes 12 seconds East, a distance of 380.67 feet;

THENCE North 01 degrees 16 minutes 09 seconds West, a distance of 394.82 feet;

THENCE North 23 degrees 09 minutes 19 seconds West, a distance of 960.49 feet;

THENCE North 04 degrees 50 minutes 29 seconds West, a distance of 412.43 feet to a 5/8 inch iron rod set on the east bank of said San Jacinto River, for the southwest corner of a called 250 acre tract as recorded in Volume 969, Page 543 Deed Records Montgomery County, Texas, and same the upper southwest corner of this herein described tract;

THENCE South 88 degrees 25 minutes 24 seconds East, a distance of 1033.87 feet to a 3 inch iron pipe found for the southeast corner of said 250 acre tract, the southwest corner of said 152.5 acre tract as recorded in Volume 467, Page 617 Deed Records Montgomery County, Texas, and same being an interior corner of this herein described tract;

THENCE North 00 degrees 50 minutes 54 seconds East, a distance of 4030.78 feet to a 3 inch iron pipe found for the northeast corner of said 250 acre tract, the northwest corner of said 152.5 acre tract, and same being an interior corner of this herein described tract;

THENCE South 89 degrees 51 minutes 21 seconds West, a distance of 3693.92 feet to a 5/8 inch iron rod set on the east bank of said San Jacinto River for the northwest corner of said 250 acre tract and same being the lower northwest corner of this herein described tract;

THENCE along the east bank of said San Jacinto River with the following meanders:

THENCE North 21 degrees 09 minutes 03 seconds East, a distance of 471.62 feet;

THENCE North 03 degrees 09 minutes 38 seconds East, a distance of 208.42 feet;

THENCE North 11 degrees 23 minutes 43 seconds West, a distance of 330.30 feet;

THENCE North 07 degrees 42 minutes 59 seconds West, a distance of 240.75 feet;

THENCE North 24 degrees 03 minutes 52 seconds West, a distance of 409.87 feet;

THENCE North 26 degrees 49 minutes 19 seconds West, a distance of 335.54 feet to a 5/8 inch iron rod set on the east bank of said San Jacinto River for the northwest corner of said 906.6 acre tract, same being the northwest corner of this herein described tract;

THENCE North 89 degrees 48 minutes 06 seconds East, with the north line of said William Vince Survey, same being the south line of the Allen Vince Survey, Abstract No. 52, the south line of a called 92.181 acre tract as recorded in Montgomery County Clerk's File No. 2002-081442, the south line of a called 55.08 acre tract as recorded in Montgomery County Clerk's File No. 8337280, the south line of the Wiatt Anderson Survey, Abstract No. 380.67, the south line of a called 140.68 acre tract as recorded in Montgomery County Clerk's File No. 906.6, the south line of Porter Heights, Section 1, as recorded in Volume 5, Page 339.
Map Records Montgomery County, Texas, and the south line of Porter Heights, Section 2, as recorded in Volume 7, Page 259 Map Records Montgomery County, Texas a distance of 7920.14 feet to the PLACE OF BEGINNING and containing 1207.52 acres.

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.

(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 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8425, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8425.106 to read as follows:

Sec. 8425.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

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

SECTION 5. 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, 2013.

Passed by the House on May 2, 2013: Yeas 147, Nays 0, 2 present, not voting; passed by the Senate on May 17, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 308

H.B. No. 1506

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 106; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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 Chapter 8420 to read as follows:

CHAPTER 8420. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 106

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8420.001. DEFINITIONS. In this chapter:

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

(2) "Commission" means the Texas Commission on Environmental Quality.