(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, 2013.

Passed by the House on April 25, 2013: Yeas 136, Nays 0, 2 present, not voting; passed by the Senate on May 15, 2013: Yeas 31, Nays 0.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 385

H.B. No. 3925

AN ACT

relating to the dissolution of the Harris County Municipal Utility District No. 213; the creation of the Harris County Municipal Utility District No. 213-A; the creation of the Harris County Municipal Utility District No. 213-B; granting a limited power of eminent domain; 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. On the effective date of this Act:

(1) the Harris County Municipal Utility District No. 213 is dissolved;

(2) the terms of the directors of the district expire; and

(3) any assets of the district, including any tax or assessment revenue, that remain after payment of the district’s liabilities are transferred to the Harris County Municipal Utility District No. 213-A.

SECTION 2. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8478 to read as follows:

CHAPTER 8478. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 213-A

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8478.001. 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.

(4) “District” means the Harris County Municipal Utility District No. 213-A.

Sec. 8478.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8478.003. 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 19.108, Water Code.

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Sec. 8478.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8478.003 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. 8478.005. 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. 8478.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 3 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 3 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.

Sec. 8478.007. ANNEXATION BY MUNICIPALITY. Notwithstanding any other law, if all of the territory of the district is annexed by a municipality into the corporate limits of that municipality before the date of the election under Section 8478.003, the district may not be dissolved and shall continue until the district is dissolved under Section 43.074, Local Government Code.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8478.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8478.052, directors serve staggered four-year terms.

Sec. 8478.052. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) William K. Taylor;
(2) James Coursey; and
(3) Jacob Saour.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8478.003; or
(2) September 1, 2017.

(c) If permanent directors have not been elected under Section 8478.003 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 8478.003; 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. 8478.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8478.102. 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. 8478.103. 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. 8478.104. 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.

Sec. 8478.105. 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.

SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

Sec. 8478.151. DIVISION OF DISTRICT; PREREQUISITES. The district may be divided into two or more new districts only if the district:

1. has no outstanding bonded debt; and
2. is not imposing ad valorem taxes.

Sec. 8478.152. LAW APPLICABLE TO NEW DISTRICT. This chapter applies to any new district created by division of the district, and a new district has all the powers and duties of the district.

Sec. 8478.153. LIMITATION ON AREA OF NEW DISTRICT. A 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 3 of the Act enacting this chapter.

Sec. 8478.154. DIVISION PROCEDURES. (a) 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.

(b) The board may adopt an order dividing the district before or after the date the board holds an election under Section 8478.003 to confirm the district's creation.

(c) An order dividing the district must:

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 the new districts.

(d) 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 commission and record the order in the real property records of each county in which the district is located.
Sec. 8478.155. CONFIRMATION ELECTION FOR NEW DISTRICT. (a) A new district created by the division of the district shall hold a confirmation and directors' election as required by Section 8478.003.

(b) If the creation of the new district is confirmed, the new district shall provide the election date and results to the commission.

Sec. 8478.156. TAX OR BOND ELECTION. Before a new district created by the division of the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes, the new district must hold an election as required by this chapter to obtain voter approval.

SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

Sec. 8478.201. 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 8478.203.

(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. 8478.202. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8478.201, 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. 8478.203. 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.

SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

Sec. 8478.251. 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. 8478.252. 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 an ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding.

Sec. 8478.253. 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 3. The Harris County Municipal Utility District No. 213-A initially includes all the territory contained in the following area:

BEING A TRACT OF LAND CONTAINING 571.898 ACRES, MORE OR LESS, SITUATED IN THE TALCOT PATCHING SURVEY, ABSTRACT NO. 620, HARRIS COUNTY, TEXAS, CONSISTING OF THAT CERTAIN 697.0651-ACRE TRACT DESCRIBED BY
METES AND BOUNDS BELOW, SAVE AND EXCEPT THAT CERTAIN 111.307-ACRE TRACT ("SAVE AND EXCEPT TRACT 1") DESCRIBED BY METES AND BOUNDS BELOW, AND SAVE AND EXCEPT THAT CERTAIN 13.860-ACRE TRACT ("SAVE AND EXCEPT TRACT 2") DESCRIBED BY METES AND BOUNDS BELOW:

697.0651-ACRE TRACT:
BEGINNING at the intersection of the westerly right-of-way line of Garth Road (80-foot R.O.W.) and northerly right-of-way line of Wallisville Road (60-foot R.O.W.);
THENCE, South 80°13'00" West, along said northerly line, a distance of 1641.66 feet to a point for corner;
THENCE, North 09°47'00" West, a distance of 500.00 feet to a point for corner;
THENCE, South 80°13'00" West, a distance of 473.58 feet to a point for corner;
THENCE, South 23°42'00" East, a distance of 515.04 feet to a point for corner in the aforementioned northerly line of Wallisville Road;
THENCE, North 89°32'55" West, along said northerly line, a distance of 2070.91 feet to a point for corner at the intersection of said northerly line and the easterly line of Haney Road (80-foot R.O.W.);
THENCE, North 09°27'55" West, along said easterly line a distance of 6843.50 feet to a point of curvature;
THENCE, in a northwesterly direction, along said easterly line, following a curve to the left with a central angle of 29°33'35", a radius distance of 919.82 feet, a long chord bearing North 24°14'43" West, 469.30 feet, and a total arc length of 474.55 feet to a point for corner;
THENCE, North 81°03'40" East, a distance of 4420.01 feet to a point for corner in the aforementioned westerly line of Garth Road;
THENCE, South 07°26'25" East, along said westerly line a distance of 4640.76 feet to a point for corner;
THENCE, South 82°33'35" West, a distance of 1002.24 feet to a point for corner;
THENCE, South 04°15'35" West, a distance of 700.00 feet to a point for corner;
THENCE, South 85°44'25" East, a distance of 1168.47 feet to a point for corner in the aforementioned westerly line of Garth Road;
THENCE, South 07°26'25" East, along said westerly line, a distance of 2043.92 feet to the POINT OF BEGINNING, and CONTAINING 697.0651 acres (30,364,155 sq. ft.) of land in Harris County, Texas.

SAVE AND EXCEPT TRACT 1:
Being all of the 111.307-acre tract described in the deed to Compass Bank recorded under Harris County Clerk's File Number 20110005202, being more particularly described by metes and bounds as follows (all bearings are based on the record bearings of the called 717.279 acres as described in the deed to Garth-Wallisville, Limited, recorded under Harris County Clerk's File Number D892853):
COMMENCING at a 1-inch iron pipe found in the west right-of-way line of Garth Road (width varies), recorded under Harris County Clerk's File Numbers D838008, W486307 and X600931 and in Volume 858, Page 333 of the Harris County Deed Records, marking the southeast corner of the called 89.1 acres conveyed to George Hamman in Volume 1054, Page 259 of the Harris County Deed Records, common with the northeast corner of said called 717.279 acre tract and the northeast corner of the called 5.0000 acre tract, conveyed to Goose Creek Independent School District, recorded under Harris County Clerk's File Number H510278;
THENCE, South 07°25'25" East, along said west right-of-way line and said Garth Road, at a distance of 100.00 feet, pass the southeast corner of said called 25,000 square feet tract, at a distance of 2,035.56 feet, pass a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the northeast corner of the called 36.93 acre tract, conveyed to Costal Industrial Water Authority recorded under Harris County Clerk's File Number D838008, at a distance of 7,364.83 feet, pass a 5/8-inch iron rod found marking the southeast corner of said called 36.93 acre tract, at a distance of 4,640.76 feet pass the northeast corner of the called 5.0000 acre tract, conveyed to Goose Creek Independent School District, recorded under Harris County Clerk's File Number H510278;
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County Clerk's File Number G873953, at a distance of 4,853.40 feet, pass the southeast corner of said called 5,000 acre tract common with the northeast corner of a called 15,000 acre tract conveyed to Goose Creek Independent School District, recorded under Harris County Clerk's File Number G812757, at a distance of 5,685.71 feet to an angle corner in said west right-of-way line;

THENCE, North 85°44'25" West, continuing said west right-of-way line, a distance of 10.27 feet, to an angle corner in said west right-of-way line;

THENCE, South 07°26'25" East, continuing along said west right-of-way line, a distance of 25.02 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the northeast corner and the POINT OF BEGINNING of the herein described tract;

THENCE, South 07°26'25" East, continuing along said west right-of-way line, a distance of 1,870.53 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the north end of the northwest right-of-way line cutback line at the intersection of said Garth Road and Wallisville Road (width varies), as described in the deeds recorded under Harris County Clerk's File Numbers W485307, XT15895 and X600931 and in Volume 311, Page 3 of the Harris County Map Records;

THENCE, South 36°32'16" West, along said northwest right-of-way cutback line, a distance of 21.59 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the south end of said right-of-way cutback line;

THENCE, South 80°30'56" West, along the north right-of-way line of said Wallisville Road, a distance of 772.43 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking an angle corner of the herein described tract;

THENCE, South 07°18'28" East, continuing along the said north right-of-way line, a distance of 18.57 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking an angle corner of the herein described tract;

THENCE, South 80°22'16" West, continuing along said north right-of-way line, a distance of 844.01 feet, to an "X" in concrete found marking the southeast corner of a called 4.727 acre tract conveyed to Houston Lighting & Power Company in Volume 3018, Page 26 of the Harris County Deed Records, common with an angle corner of the herein described tract;

THENCE, North 09°56'02" West, along the east line of said called 4.727 acre tract, a distance of 498.68 feet to a 5/8-inch iron rod found marking the northeast corner of said called 4.727 acre tract common with an interior corner of the herein described tract;

THENCE, South 80°23'58" West, along the north line of said called 4.727 acre tract, a distance of 473.58 feet, to a 5/8-inch rod found in the east line of the a the 150-foot wide Houston Lighting & Power Company easement recorded in Volume 3021, Page 30 of the Harris County Deed Records, common with the east line of the 22-foot wide Houston Lighting & Power Company easement recorded in Volume 2809, Page 645 of the Harris County Deed Records, marking the northwest corner of said called 4.727 acre tract common with an angle corner of the herein described tract;

THENCE, North 23°29'12" West, along the east line of said 22-foot wide Houston Lighting and Power easement common with the east line of a said 150-foot Houston Lighting and Power easement, a distance of 1,966.90 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set in the south line of the 20-foot wide Seagull Petrochemical Corporation pipeline easement recorded under Harris County Clerk's File Numbers M373402 and M645320 marking the northwest corner of the herein described tract;

THENCE, North 65°30'50" East, along the south line of said 20-foot wide Seagull Petrochemical Corporation pipeline easement, a distance of 26.94 feet, to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking an angle corner of the herein described tract;

THENCE, North 79°53'06" East, continuing along said south line, a distance of 505.26 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking an angle corner of the herein described tract;

THENCE, North 85°44'33" East, continuing along said south line, a distance of 2,147.85 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking an angle corner of the herein described tract;
THENCE, North 85°52'33" East, continuing along said south line, a distance of 32.31 feet to the POINT OF BEGINNING and containing 111.307 acres (4,848,534 square feet) of land.

SAVE AND EXCEPT TRACT 2:

Being all of the 13.860-acre tract described in the deed to Compass Bank recorded under Harris County Clerk's File Number D9896520 and being more particularly described by metes and bounds as follows (all bearings are based on the record bearings of the called 717.279 acres as described in the deed to Garth-Wallisville, Limited, recorded under Harris County Clerk's File Number D892863):

COMMENCING at a 5/8-inch iron rod with plastic cap stamped “TERRA SURVEYING” set marking the north end of the northwest right-of-way cutback line at the intersection of Garth Road (width varies), recorded under Harris County Clerk's File Numbers D838008, W485307 and X600931 and in Volume 858, Page 333 of the Harris County Deed Records and Wallisville Road (width varies), as described in the deeds recorded under Harris County Clerk's File Numbers W485307, X715895 and X600931 and in Volume 311, Page 3 of the Harris County Map Records;

THENCE, South 36°32'16" West, along said northwest right-of-way cutback line, a distance of 21.59 feet, to a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking the south end of said right-of-way cutback line;

THENCE, South 80°30'56" West, along the north right-of-way line of said Wallisville Road, a distance of 772.43 feet to a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking an angle corner of the herein described tract;

THENCE, South 07°18'28" East, continuing along the said north right-of-way line, a distance of 18.57 feet to a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking an angle corner of the herein described tract;

THENCE, South 80°22'16" West, continuing along said north right-of-way line, a distance of 1,199.32 feet, to a 5/8-inch iron rod with plastic cap stamped “TERRA SURVEYING” set marking an angle corner in said north right-of-way line;

THENCE, North 89°32'55" West, continuing along said north right-of-way line, a distance of 158.75 feet to the intersection of said north right-of-way line and the west line of the 150-foot wide Houston Lighting & Power Company easement recorded in Volume 3021, Page 30 of the Harris County Deed Records;

THENCE, North 57°51'55" West, along said west line, a distance of 403.68 feet to a 5/8-inch iron rod with plastic cap stamped “TERRA SURVEYING” set marking the west corner of the aforesaid 13.860 acre tract common with the west corner of the herein described tract;

THENCE, North 51°01'12" East, along a northwesterly line of said 13.860 acre tract, a distance of 651.92 feet to a 5/8-inch iron rod with plastic cap stamped “S & V SURVEYING” found marking an angle corner of said 13.860 acre tract common with an angle corner of the herein described tract;

THENCE, North 23°29'12" West, along a westerly line of said 13.860 acre tract, a distance of 882.92 feet to a 5/8-inch iron rod with plastic cap stamped “S & V SURVEYING” found in the south line of the called 11.46 acre San Jacinto River Authority easement marking the northwest corner of said 13.860 acre tract common with the northwest corner of the herein described tract;

THENCE, North 79°53'28" East, along said south line, a distance of 133.63 feet to a 5/8-inch iron rod with plastic cap stamped “S & V SURVEYING” found marking the northeast corner of said 13.860 acre tract common with the intersection of said south line and the aforesaid west line of the 150-foot wide Houston Lighting & Power Company easement and the northeast corner of the herein described tract;
THENCE, South 23°29'10" East, along said west line, a distance of 2,084.38 feet to the POINT OF BEGINNING and containing 13.860 acres (603,742 square feet) of land.

SECTION 4. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8479 to read as follows:

CHAPTER 8479. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 213-B

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8479.001. 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.
(4) “District” means the Harris County Municipal Utility District No. 213-B.

Sec. 8479.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8479.003. 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 19.102, Water Code.

Sec. 8479.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8479.003 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. 8479.005. 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. 8479.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 5 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 5 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.

Sec. 8479.007. ANNEXATION BY MUNICIPALITY. Notwithstanding any other law, if all of the territory of the district is annexed by a municipality into the corporate limits of that municipality before the date of the election under Section 8479.003, the district may not be dissolved and shall continue until the district is dissolved under Section 43.074, Local Government Code.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8479.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8479.052, directors serve staggered four-year terms.
Sec. 8479.052. TEMPORARY DIRECTORS. (a) On or after September 1, 2013, 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 8479.003; or

(2) September 1, 2017.

(c) If permanent directors have not been elected under Section 8479.003 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 8479.003; 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. 8479.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8479.102. 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. 8479.103. 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. 8479.104. 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.

Sec. 8479.105. 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.

SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

Sec. 8479.151. DIVISION OF DISTRICT; PREREQUISITES. The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

Sec. 8479.152. LAW APPLICABLE TO NEW DISTRICT. This chapter applies to any new district created by division of the district, and a new district has all the powers and duties of the district.
Sec. 8479.153. LIMITATION ON AREA OF NEW DISTRICT. A 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 5 of the Act enacting this chapter.

Sec. 8479.154. DIVISION PROCEDURES. (a) 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.

(b) The board may adopt an order dividing the district before or after the date the board holds an election under Section 8479.003 to confirm the district's creation.

(c) An order dividing the district must:

(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 the new districts.

(d) 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 commission and record the order in the real property records of each county in which the district is located.

Sec. 8479.155. CONFIRMATION ELECTION FOR NEW DISTRICT. (a) A new district created by the division of the district shall hold a confirmation and directors' election as required by Section 8479.003.

(b) If the creation of the new district is confirmed, the new district shall provide the election date and results to the commission.

Sec. 8479.156. TAX OR BOND ELECTION. Before a new district created by the division of the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes, the new district must hold an election as required by this chapter to obtain voter approval.

SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

Sec. 8479.201. 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 8479.203.

(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. 8479.202. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8479.201, 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. 8479.203. 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.
SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

Sec. 8479.251. 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. 8479.252. 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.

Sec. 8479.253. 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 5. The Harris County Municipal Utility District No. 213-B initially includes all the territory contained in the following area:

Tract 1 and Tract 2 collectively containing 125.167 acres (5,452,276 square feet) of land situated in the Talcott Patching Survey, Abstract Number 620, Harris County, Texas, and being all of the 111.307 acre tract and all of the 13.860 acre tract described in the deed to Compass Bank, recorded under Harris County Clerk's File Number 20110005202; said 125.167 acres being more particularly described in two tracts by metes and bounds as follows (all bearings are based on the record bearings of the called 717.279 acres as described in the deed to Garth-Wallisville, Limited, recorded under Harris County Clerk's File Number D892853):

Tract 1:

COMMENCING at a 1-inch iron pipe found in the west right-of-way line of Garth Road (width varies), recorded under Harris County Clerk's File Numbers D838006, W485307 and X600931 and in Volume 858, Page 333 of the Harris County Deed Records, marking the southeast corner of the called 89.1 acres conveyed to George Hamman in Volume 1054, Page 259 of the Harris County Deed Records, common with the northeast corner of said called 717.279 acre tract and the northeast corner of the called 25,000 square feet tract conveyed to Charles Kipple, Trustee recorded under Harris County Clerk's File Number H510278;

THENCE, South 07°26'25" East, along said west right-of-way line and said Garth Road, at a distance of 100.00 feet, pass the northeast corner of said called 25,000 square feet tract, at a distance of 2,035.56 feet, pass a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking the northeast corner of the called 36.93 acre tract, conveyed to Costal Industrial Water Authority recorded under Harris County Clerk's File Number D838008, at a distance of 2,364.83 feet, pass a 5/8-inch iron rod found marking the southeast corner of said called 36.93 acre tract, at a distance of 4,640.76 feet pass the northeast corner of the called 5.0000 acre tract, conveyed to Goose Creek Independent School District, recorded under Harris County Clerk's File Number G873953, at a distance of 5,563.16 feet pass the southeast corner of called 15.0000 acre tract, in all a total distance of 5,685.71 feet to an angle corner in said west right-of-way line;

THENCE, North 85°44'25" West, continuing said west right-of-way line, a distance of 10.27 feet, to an angle corner in said west right-of-way line;

THENCE, South 07°26'25" East, continuing along said west right-of-way line, a distance of 25.02 feet to 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking the northeast corner and the POINT OF BEGINNING of the herein described tract;

THENCE, South 07°26'25" East, continuing along said west right-of-way line, a distance of 1,570.53 feet, to a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking the north end of the northwest right-of-way line cutback line at the intersection of said Garth Road and Wallisville Road (width varies), as described in the deeds recorded under Harris
County Clerk's File Numbers W485307, X715895 and X600931 and in Volume 311, Page 3 of the Harris County Map Records;  
THENCE, South 36°32'16" West, along said northwest right-of-way cutback line, a distance of 21.59 feet, to a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking the south end of said right-of-way cutback line;  
THENCE, South 80°30'56" West, along the north right-of-way line of said Wallisville Road, a distance of 772.43 feet to a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking an angle corner of the herein described tract;  
THENCE, South 07°18'28" East, continuing along the said north right-of-way line, a distance of 18.57 feet to a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking an angle corner of the herein described tract;  
THENCE, South 80°22'16" West, continuing along said north right-of-way line, a distance of 844.01 feet, to an “X” in concrete found marking the southeast corner of a called 4.727 acre tract conveyed to Houston Lighting & Power Company in Volume 3018, Page 26 of the Harris County Deed Records, common with an angle corner of the herein described tract;  
THENCE, North 09°36'02" West, along the east line of said called 4.727 acre tract, a distance of 498.68 feet, to a 5/8-inch iron rod found marking the northeast corner of said called 4.727 acre tract common with an interior corner of the herein described tract;  
THENCE, South 23°29'12" West, along the east line of said 22-foot wide Houston Lighting and Power easement common with said 150-foot Houston Lighting and Power easement, a distance of 1,966.90 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set in the south line of the 20-foot wide Seagull Petrochemical Corporation pipeline easement recorded under Harris County Clerk's File Numbers M373402 and M645320 marking the northwest corner of the herein described tract;  
THENCE, North 66°30'50" East, along the south line of said 20-foot wide Seagull Petrochemical Corporation pipeline easement, a distance of 26.94 feet, to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking an angle corner of the herein described tract;  
THENCE, North 79°53'08" East, continuing along said south line, a distance of 32.31 feet, to the POINT OF BEGINNING and containing 111.307 acres (4,848,534 square feet) of land.  

Tract 2:  
COMMEMCING at a 5/8-inch iron rod with plastic cap stamped “TERRA SURVEYING” set marking the north end of the northwest right-of-way line cutback line at the intersection of Garth Road (width varies), recorded under Harris County Clerk's File Numbers D888008, W485307 and X600931 and in Volume 858, Page 333 of the Harris County Deed Records and Wallisville Road (width varies), as described in the deeds recorded under Harris County Clerk's File Numbers W485307, X715895 and X600931 and in Volume 311, Page 3 of the Harris County Map Records;  
THENCE, South 36°32'16" West, along said northwest right-of-way cutback line, a distance of 21.59 feet, to a 5/8-inch iron rod with plastic cap stamped “Terra Surveying” set marking the south end of said right-of-way cutback line;
THENCE, South 80°30'56" West, along the north right-of-way line of said Wallisville Road, a distance of 772.43 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking an angle corner of the herein described tract;

THENCE, South 07°18'28" East, continuing along the said north right-of-way line, a distance of 18.57 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking an angle corner of the herein described tract;

THENCE, South 80°22'16" West, continuing along said north right-of-way line, a distance of 1,199.32 feet, to a 5/8-inch iron rod with plastic cap stamped "TERRA SURVEYING" set marking an angle corner in said north right-of-way line;

THENCE, North 89°32'55" West, continuing along said north right-of-way line, a distance of 158.75 feet to the intersection of said north right-of-way line and the west line of the 150-foot wide Houston Lighting & Power Company easement recorded in Volume 3021, Page 30 of the Harris County Deed Records;

THENCE, North 23°29'10" West, along a northwesterly line of said 13.860 acre tract, a distance of 832.92 feet to a 5/8-inch iron rod with plastic cap stamped "S & V SURVEYING" found marking the northwest corner of the aforesaid 13.860 acre tract common with the northwest corner of the herein described tract;

THENCE, North 79°53'28" East, along said south line, a distance of 133.63 feet to a 5/8-inch iron rod with plastic cap stamped "S & V SURVEYING" found marking the northeast corner of said 13.860 acre tract common with the intersection of said south line and the aforesaid west line of the 150-foot wide Houston Lighting & Power Company easement and the northeast corner of the herein described tract;

THENCE, South 23°29'10" East, along said west line, a distance of 2,084.38 feet to the POINT OF BEGINNING and containing 13.860 acres (603,742 square feet) of land.

SECTION 6. (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 7. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8478, Special District Local Laws Code, as added by Section 2 of this Act, is amended by adding Section 8478.106 to read as follows:
Ch. 385, § 7

Sec. 8478.106. 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 8. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8479, Special District Local Laws Code, as added by Section 4 of this Act, is amended by adding Section 8479.106 to read as follows:

Sec. 8479.106. 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 9. 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 September 1, 2013.

CHAPTER 386
H.B. No. 436
AN ACT
relating to the authority to issue bonds of the Rockett Special Utility District.

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

SECTION 1. Subtitle C, Title 6, Special District Local Laws Code, is amended by adding Chapter 7214 to read as follows:

CHAPTER 7214. ROCKETT SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7214.001. DEFINITION. In this chapter, “district” means the Rockett Special Utility District.

[Sections 7214.002-7214.050 reserved for expansion]

SUBCHAPTER B. BONDS

Sec. 7214.051. AUTHORITY TO ISSUE BONDS. (a) The district has the rights, powers, duties, and obligations of an issuer under Chapter 1371, Government Code.

(b) Sections 49.181 and 49.182, Water Code, do not apply to the district.

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.