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N 59° 03' 00" E, a distance of 150.00 feet to a point for corner;
N 86° 43' 00" E, a distance of 300.00 feet to a point for corner;
S 44° 11' 00" E, a distance of 600.00 feet to a point for corner;
S 35° 19' 00" E, a distance of 225.00 feet to a point for corner;
S 56° 05' 00" E, a distance of 400.00 feet to a point for corner;
S 69° 31' 00" E, a distance of 300.00 feet to a point for corner;
S 88° 24' 00" E, a distance of 300.00 feet to a point for corner;
N 77° 12' 00" E, a distance of 63.36 feet to the northeast corner of the herein described tract and being in the west line of said 128.109 acre tract;

THENENCE, S 00° 06' 10" W, a distance of 1,389.24 feet along the west line of said 128.109 acre tract to the POINT OF BEGINNING and containing 47.97 acres of land.

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 513, 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 8445, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8445.106 to read as follows:

Sec. 8445.106. 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 Subsection (c), Section 17, 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 the Senate on April 18, 2013: Yeas 31, Nays 0; passed the House on May 20, 2013: Yeas 147, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 772

S.B. No. 1069

AN ACT

relating to the creation of the Fort Bend County Municipal Utility District No. 213; granting a limited power of eminent domain; providing authority to impose a tax and issue bonds.

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 8459 to read as follows:

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CHAPTER 8459. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 213

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8459.001. 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 Fort Bend County Municipal Utility District No. 213.

Sec. 8459.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8459.003. 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. 8459.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8459.003 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. 8459.005. 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. 8459.006. 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. 8459.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.
(b) Except as provided by Section 859.052, directors serve staggered four-year terms.

Sec. 8459.052. 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 8459.003; 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 8459.003 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:

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(1) the date permanent directors are elected under Section 8459.003; 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. 8459.101. GENERAL POWERS AND DUTIES. The district has the powers and
duties necessary to accomplish the purposes for which the district is created.
Sec. 8459.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The dist-
trict 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. 8459.103. 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. 8459.104. 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, zoning and
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. 8459.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RES-
OLUTION. 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. GENERAL FINANCIAL PROVISIONS

Sec. 8459.151. 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 8459.153.
(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. 8459.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an
election held under Section 8459.151, 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. 8459.153. 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.

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8459.201. 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. 8459.202. 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. 8459.203. 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 Fort Bend County Municipal Utility District No. 213 initially includes all the territory contained in the following area:

Being 580.500 acres of land located in the Noel F. Roberts 1-1/4 League, Abstract 79, the Thomas Westall League, Abstract 92, and the Randolph Foster league, Abstract 28, Fort Bend County, Texas, more particularly being all of that certain called 374.202 acre tract conveyed to HUNT ROAD & POOL HILL FARMS, INC., by an instrument of record in File No. 2010122491, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), and a portion of that certain called 753.14 acre tract conveyed to TWINWOOD (U.S.), INC. by an instrument of record in File No. 2010042222, F.B.C.O.P.R. said 580.500 acres being more particularly described in two parts by metes and bounds as follows (all bearings are assumed);

PART ONE

BEGINNING at a 1/2-inch iron pipe found marking the northwest corner of said 304.5 acre tract, same being the northwest corner of said Noel F. Roberts 1-1/4 League, the southwest corner of the Isaac Newton Charles Survey, A-17, on the east line of the Randolph Foster League, Abstract 28;

Thence, with the north line of said 304.5 acre tract and with the common survey line of said Isaac Newton Charles Survey and the Noel F. Roberts 1-1/4 League, North 88° 47' 03" East (called South 88° 40' East), at 476.31 feet pass a found 5/8-inch iron rod with cap stamped "KALKOMEY SURVEYING", at 939.69 feet pass a found 1/2-inch iron pipe, at 1,253.81 feet pass a found 1/2-inch iron pipe, at 1,539.66 feet pass a found 1/2-inch iron pipe, at 2,079.81 feet pass a found 1/2-inch iron pipe, at 5,757.10 feet pass a found 5/8-inch iron rod 4.52 feet left, at 5,777.34 feet pass a found 5/8-inch iron rod with cap stamped "TEJAS" 17.68 feet left, at 5,777.54 feet pass a found 1/2-inch iron pipe 2.58 feet right, at 6,791.52 feet pass a found 5/8-inch iron rod 22.35 feet left and continuing a total distance of 6,937.1 feet (called 6,937.1 feet) to a 1-inch square rod found marking the northeast corner of said 304.5 acre tract, same being the northwest corner of said 68.93 acre tract, from which a found 1/2-inch iron pipe bears North 88° 01’ 10” West, 0.29 feet;

Thence, with the north line of said 68.93 acre tract and continuing with said common survey line, North 87° 57’ 59" East (called North 89° 31’ 10” East), at 0.44 feet pass a found 5/8-inch iron rod 20.02 feet right, at 1,765.40 feet pass a found 1/2-inch iron pipe and continuing a total distance of 1,795.40 feet (called 1,794.8 feet) to a PK Nail set in asphalt marking the northeast corner of said 68.93 acre tract, same being the northeast corner of said Noel F. Roberts 1-1/4 1961.
League, and angle point in the southerly line of said Isaac Newton Charles Survey and on the west line of the Joseph San Pierre Labor, A–81;

Thence, with the east line of said 68.93 acre tract and with the common survey line of said Noel F. Roberts 1–1/4 League and said Joseph San Pierre Labor, South 68° 55' 10" West (called South 88° 38' 00" East), 1,590.01 feet to a PK Nail set in asphalt marking the southeast corner of said 68.93 acre tract;

Thence, with the south line of said 68.93 acre tract, South 87° 21' 45" West (called South 88° 55' 10" West), at 30.00 feet pass a 1-1/2-inch iron pipe and continuing a total distance of 1,741.83 feet (called 1,741.5 feet) to a 3/4-inch iron pipe found marking the southwest corner of said 68.93 acre tract, same being the southeast corner of the aforementioned 304.5 acre tract;

Thence, with the southerly lines of said 304.5 acre tract, the following nine (9) courses:

1) South 87° 34' 14" West (called South 89° 06' West), at 40.77 feet pass a found 1/2-inch iron rod, at 1,021.35 feet pass a found 1/2-inch iron rod (bent) and continuing a total distance of 1,552.69 feet (called 1,553.3 feet) to a found 1/2-inch iron pipe for corner;

2) South 88° 17' 55" West (called South 89° 53' West), at 543.82 feet pass a found 1/2-inch iron rod, at 1,072.28 feet pass a found 1/2-inch iron rod and continuing a total distance of 1,398.93 feet (called 1,398.8 feet) to a 1/2-inch iron pipe found for corner;

3) South 88° 41' 22" West (called North 89° 59' West), at 212.57 feet pass a found 1/2-inch iron rod and continuing a total distance of 509.84 feet (called 510.4 feet) to a 1/2-inch iron pipe found for corner;

4) North 88° 28' 03" West (called North 86° 52' West), at 414.15 feet pass a found 1/2-inch iron pipe, from which a found 3/4-inch iron pipe bears South 79° 28' 45" West, 0.07 feet, at 564.06 feet pass a found 1/2-inch iron pipe and continuing a total distance of 917.85 feet (called 918 feet) to a 1/2-inch iron pipe found marking a reentrant corner of said 304.5 acre tract, from which a found 1-inch iron pipe bears North 75° 57' 17" West, 3.57 feet;

5) South 01° 32' 01" East, 376.60 feet (called South 00° 34' East, 376.4 feet) to a 2 1/2-inch iron pipe filled with concrete found for corner;

6) South 82° 56' 56" West, 2,153.14 feet (called South 84° 30' West, 2,153 feet) to a 1–inch iron pipe found marking the most southerly southwest corner of said 304.5 acre tract;

7) North 38° 07' 55" West, 184.80 feet (called North 38° 05' West, 182.6 feet) to a PK Nail set in asphalt for corner;

8) North 50° 57' 38" West, 100.00 feet (called North 49° 20' West, 100 feet) to a PK Nail set in asphalt for corner;

9) North 61° 17' 38" West (called North 59° 40' West, 400 feet), 400.00 feet to a to a chiseled "X" in concrete foundation of a masonry column set marking the most westerly southwest corner of said 304.5 acre tract, same being on the west line of the aforementioned Noel F. Roberts 1–1/4 League;

Thence, with the west line of said 304.5 acre tract and the west line of said Noel F. Roberts 1–1/4 League, North 01° 40' 38" West (called North 0° 03' West), at 1,638.97 feet pass a found 1/2-inch iron pipe (bent) and continuing a total distance of 1,891.3 feet (called 1,891.3 feet) to the POINT OF BEGINNING and containing 374.202 acres of land.

PART TWO

BEGINNING at the northeast corner of the aforementioned 753.14 acre tract being on the west right-of-way line of F.M. Highway 1489 (100–feet wide);

Thence, South 08° 29' 10" West, along the common line of said 753.14 acres and F.M. Highway 1489, 1308.56 feet to a point for corner, the beginning of a curve;

Thence, continuing along said common line, along the arc of a tangent curve to the left, having a radius of 2915.00 feet, a central angle of 13° 18' 58", an arc length of 677.47 feet, and a chord which bears South 01° 49' 41" West, 675.95 feet to a point for corner;

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Thence, North 58° 01' 50" West, 344.69 feet to a point for corner;
Thence, North 67° 52' 22" West, 486.32 feet to a point for corner;
Thence, North 77° 58' 51" West, 484.53 feet to a point for corner;
Thence, North 86° 41' 50" West, 354.17 feet to a point for corner;
Thence, North 89° 52' 54" West, 136.95 feet to a point for corner;
Thence, South 81° 42' 43" West, 69.88 feet to a point for corner;
Thence, South 89° 37' 02" West, 1424.54 feet to a point for corner;
Thence, South 88° 57' 19" West, 182.21 feet to a point for corner;
Thence, South 82° 02' 27" West, 482.09 feet to a point for corner;
Thence, South 72° 03' 46" West, 486.22 feet to a point for corner;
Thence, South 81° 57' 08" West, 233.22 feet to a point for corner on the east bank of the Brazos River;
Thence, along the east bank of the Brazos River, the following fourteen (14) meanders:
1) North 17° 44' 47" West, 107.33 feet to a point for corner;
2) North 20° 07' 24" West, 157.79 feet to a point for corner;
3) North 15° 43' 07" West, 193.69 feet to a point for corner;
4) North 19° 22' 20" West, 236.23 feet to a point for corner;
5) North 18° 32' 59" West, 174.71 feet to a point for corner;
6) North 15° 37' 20" West, 138.21 feet to a point for corner;
7) North 04° 12' 38" East, 148.92 feet to a point for corner;
8) North 13° 04' 30" West, 128.01 feet to a point for corner;
9) North 06° 53' 54" West, 148.38 feet to a point for corner;
10) North 16° 59' 58" West, 204.57 feet to a point for corner;
11) North 09° 12' 42" West, 115.68 feet to a point for corner;
12) North 23° 22' 04" West, 125.07 feet to a point for corner;
13) North 11° 23' 30" West, 91.41 feet to a point for corner;
14) Thence, North 09° 55' 05" West, 91.87 feet to a point for corner;
Thence, North 87° 54' 31" East, leaving said east bank of the Brazos River 810.55 feet to a point for corner;
Thence, North 87° 39' 52" East, along the north line of the aforementioned 753.14 acre tract, 1000.53 feet to a point for corner;
Thence, North 88° 12' 04" East, continuing along said north line, 999.05 feet to a point for corner;
Thence, North 87° 58' 49" East, continuing along said north line, 1000.18 feet to a point for corner;
Thence, North 87° 28' 33" East, continuing along said north line, 1414.59 feet to the POINT OF BEGINNING and containing 206.298 acres of land.

Said Part One and Part Two containing a total of 580.500 acres of land.

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 8459, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8459.106 to read as follows:

Sec. 8459.106. 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 Subsection (c), Section 17, 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 the Senate on April 18, 2013: Yeas 31, Nays 0; passed the House on May 20, 2013: Yeas 147, Nays 0, two present not voting.

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

CHAPTER 773
S.B. No. 1095
AN ACT
relating to fever tick eradication; creating a penalty.

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

SECTION 1. Section 167.001, Agriculture Code, is amended by amending Subdivision (1) and adding Subdivisions (1-a) and (8) to read as follows:

(1) "Animal" means any domestic, free-range, or wild animal capable of hosting or transporting ticks capable of carrying Babesia, including:

(A) livestock;

(B) zebras, bison, and giraffes; and

(C) deer, elk, and other cervid species.

(1-a) "Commission" means the Texas Animal Health Commission.

(8) "Treatment" means a procedure or management practice used on an animal to prevent the infestation of, control, or eradicate ticks capable of carrying Babesia.

SECTION 2. Subsections (a) and (c), Section 167.003, Agriculture Code, are amended to read as follows:

(a) In accordance with this chapter, the commission shall eradicate all ticks capable of carrying Babesia in this state and shall protect all land, premises, and animals [livestock] in this state from those ticks and exposure to those ticks.

(c) The commission by rule may provide for the manner and method of treating [dipping] saddle stock and stock used for gentle work and for the handling and certifying of that stock for movement, but unless the commission so provides, the stock is subject to this chapter as other animals [livestock].

SECTION 3. Subsections (a) and (b), Section 167.004, Agriculture Code, are amended to read as follows:

(a) If a tick is found on an animal [a head of livestock], the following are classified as tick infested: