childhood intervention services cost prohibitive for families. If none of the considered changes is determined to make the program more cost-effective, or if the department determines that the changes will make access to early childhood intervention services cost prohibitive for families, the department may decline to implement the changes.

(f) The department shall evaluate existing family cost share provisions and consider and implement changes, if appropriate, to the early childhood intervention program as required by this section:

(1) on a periodic basis established by the department; and
(2) at other times at the request of the Legislative Budget Board.

(g) Not later than December 1, 2014, the department shall:

(1) conduct the initial evaluation required under Subsection (d) and implement any changes as required by Subsection (e) resulting from that evaluation; and
(2) submit a report to the governor and the Legislative Budget Board summarizing the results of the initial evaluation and explaining any changes that were implemented.

(h) This subsection and Subsection (g) expire September 1, 2015.

Sec. 117.078. FAMILY COST SHARE PROVISION IN EARLY CHILDHOOD INTERVENTION PROGRAM. (a) The department shall consider implementing a family cost share provision under which the amount a family pays to participate in the early childhood intervention program is based on the amount of service the family receives under the program.

(b) A family cost share provision implemented by the department under Subsection (a) must establish a maximum amount to be paid by a family participating in the early childhood intervention program that is based on the family’s size and adjusted gross income, with families in higher income brackets required to pay more under the provision than those families paid before the provision’s implementation.

SECTION 2. If before implementing any provision of this Act a state agency determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the agency affected by the provision shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

SECTION 3. This Act takes effect September 1, 2013.

Passed the Senate on March 27, 2013: Yeas 30, Nays 0; passed the House on May 14, 2013: Yeas 143, Nays 0, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 469
S.B. No. 1071

AN ACT
relating to the creation of the Harris County Municipal Utility District No. 532; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

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 8443 to read as follows:

CHAPTER 8443. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 532

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8443.001. DEFINITIONS. In this chapter:
(1) “Board” means the district’s board of directors.
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(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. 532.

Sec. 8443.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8443.003. 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. 8443.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8443.003 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. 8443.005. 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. 8443.006. 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. 8443.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8443.052, directors serve staggered four-year terms.

Sec. 8443.052. 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 8443.003; 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 8443.003 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 8443.003; 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. 8443.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8443.102. 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. 8443.103. 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. 8443.104. 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. 8443.105. 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. GENERAL FINANCIAL PROVISIONS

Sec. 8443.151. 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 8443.153.

(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. 8443.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8443.151, 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. 8443.153. 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. 8443.201. 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. 8443.202. 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. 8443.203. 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 Harris County Municipal Utility District No. 532 initially includes all the territory contained in the following area:

BEING a 473.9311 acre tract of land situated in Section 69, Block 2 of the H. & T.C.R.R. Company Survey, Abstract No. 459 of Harris County, Texas, being all of the Northeast 1/4 and a portion of the Southeast and Southwest 1/4 of said Section 69, same also being all of those certain tracts of land described in an instrument to Lynell Freeman, Trustee of the Freeman Family Trust recorded under Harris County Clerk's File Number (H.C.C.F. No.) U390809 and U390807, excluding the portion of said tracts lying within the right-of-way of Farm-to-Market Road 529, said 473.9311 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a railroad spike in asphalt found in the centerline of Katy–Hockley Cut-Off Road (60-foot width) and Longenbaugh Road (60-foot width) for the Northeast corner of said Section 69, same being the Southwest corner of Section 57, Block 2 of the H. & T.C.R.R. Company Survey, Abstract No. 443, the Northwest corner of Section 58, Block 2 of the H. & T. C. R. R. Company Survey (George Spencer Survey), Abstract No. 1368, the Southeast corner of Section 70, Block 2 of the H. & T.C.R.R. Company Survey and the Southeast corner of the J.E. Cabaniss Survey, Abstract No. 1470 which is out of said Section 70;

THENCE, S 02° 06' 22" E, a distance of 5,128.30 feet along the centerline of said Katy–Hockley Cut-Off, the East line of said Section 69 and the West line of said Section 58 to a point for corner;

THENCE, S 87° 53' 38" W, a distance of 30.00 feet to a point for corner in the North right-of-way line of Farm-to-Market Road 529 (H.C.C.F. No. C351486 & C261186) and from which a found 4"x4" concrete monument bears N 43° 07' E, 1.27 feet;

THENCE, S 43° 07' 01" W, a distance of 133.21 feet along the Northwest cut-back line of the intersection of said Katy–Hockley Road and Farm-to-Market Road 529 (120-foot width) to a point for corner in the North right-of-way line of said Farm-to-Market Road 529;

THENCE, S 87° 53' 30" W, a distance of 5,045.90 feet along the North right-of-way line of said Farm-to-Market Road 529 to a 4"x4" concrete monument found for the Southeast corner of the Northeast cut-back of the intersection of said Farm-to-Market Road 529 and Katy–Hockley Road;

THENCE, N 47° 06' 59" W, a distance of 135.29 feet along the Northeast cut-back line of the intersection of said Farm-to-Market Road 529 and Katy–Hockley Road to a point for corner in the East right-of-way line of said Katy–Hockley Road (60-foot width) and from which a found concrete monument bears S 40° 50' E, 3.13 feet;

THENCE, S 87° 58' 20" W, a distance of 30.00 feet to a point for corner in the centerline of said Katy–Hockley Road (60-foot width) and being in the West line of said Section 69;
THENCE, N 02° 01' 40" W, a distance of 2,490.97 feet along the West line of said Section 69 and the centerline of said Katy–Hockley Road (60-foot width) to a 5/8-inch iron rod found for the Northwest corner of the Southwest 1/4 of said Section 69, same being the Northwest corner of a called 1.00 acre tract described in an instrument filed for record under H.C.C.F. No. D748274;

THENCE, N 02° 01' 40" W, a distance of 2,642.89 feet along the East line of said 158.167 acre tract and the West line of the Northeast 1/4 of said Section 69 to a point for the Northwest corner of the Northeast 1/4 of said Section 69, same being the Northwest corner of said 158.167 acre tract, the most Southerly Southwest corner of said J.E. Cabaniss Survey, Abstract No. 1470, the Southeast corner of a called 75.308 acre tract of land described in an instrument filed for record under H.C.C.F. No. T291060, the Southeast corner of the G.H. Holley Survey, Abstract 1480 and the most Southerly Southwest corner of a called 400 acre tract of land described in an instrument to Jesse L. Freeman filed for record under Volume 1212, Page 482 of the Harris County Deed Records;

THENCE, N 87° 54' 21" E, a distance of 2,643.72 feet along the South line of said 400.00 acres, the South line of said J.E. Cabaniss Survey, Abstract No. 1470 and the North line of the Northeast 1/4 of said Section 69 to the POINT OF BEGINNING and containing 473.911 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 8443, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8443.106 to read as follows:

Sec. 8443.106. 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 17, 2013: Yeas 134, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.