(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 8428, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8428.106 to read as follows:

Sec. 8428.106. 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 23, 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 823

S.B. No. 1852

AN ACT
relating to the powers and duties of the Collin County Water Control and Improvement District No. 3; providing authority to issue bonds.

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

SECTION 1. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9043 to read as follows:

CHAPTER 9043. COLLIN COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9043.001. DEFINITIONS. In this chapter:

(1) “Board” means the district’s board of directors.

(2) “District” means the Collin County Water Control and Improvement District No. 3.

Sec. 9043.002. NATURE AND PURPOSES OF DISTRICT. (a) The district is a water control and improvement district created under Section 59, Article XVI, Texas Constitution.

(b) The district is created to accomplish the purposes of:

(1) a water control and improvement 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.

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SUBCHAPTER B. POWERS AND DUTIES

Sec. 9043.051. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 9043.052. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 51, Water Code, applicable to water control and improvement districts created under Section 59, Article XVI, Texas Constitution.

Sec. 9043.053. 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. 9043.054. 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 C. BONDS AND OTHER OBLIGATIONS

Sec. 9043.101. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS. (a) 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 a road project authorized by Section 9043.053.

(b) 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.

(c) 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 real property in the district.

Sec. 9043.102. 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.

SECTION 2. The Collin County Water Control and Improvement District No. 3 retains all the rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

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. 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 25, 2013: Yeas 30, 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 824

S.B. No. 1854

AN ACT

relating to certain project powers and duties of the Fort Bend County Levee Improvement District No. 7; providing authority to impose a tax and issue bonds.

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

SECTION 1. Subtitle E, Title 6, Special District Local Laws Code, is amended by adding Chapter 7808 to read as follows:

CHAPTER 7808. FORT BEND COUNTY LEVEE IMPROVEMENT DISTRICT NO. 7

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7808.001. DEFINITIONS. In this chapter:

(1) “Board” means the board of directors of the district.

(2) “District” means the Fort Bend County Levee Improvement District No. 7.

(3) “Project” means a facility, improvement, appliance, appurtenance, land, interest in property, participation right, contract right, practice, technique, or technology that:

(A) facilitates the recycling and reuse of water, wastewater effluent, or other water or wastewater by-product; and

(B) results in additional water supplies for future or alternative uses.

SUBCHAPTER B. PROJECT POWERS AND DUTIES

Sec. 7808.151. ACQUISITION OF PROJECT. The district may acquire a project, including by purchase or lease.

Sec. 7808.152. CONSTRUCTION, MAINTENANCE, AND OPERATION OF PROJECT. The district may construct, rehabilitate, repair, improve, enlarge, operate, and maintain a project.

Sec. 7808.153. DELIVERY METHOD. The district may use alternative delivery methods under Chapter 2267, Government Code, as added by Chapter 1129 (H.B. 628), Acts of the 82nd Legislature, Regular Session, 2011, for a project, in addition to any method provided by Chapters 49 and 57, Water Code.

Sec. 7808.154. CONVEYANCE OF PROJECT. If the board considers the terms appropriate and favorable to the district, the district may convey a project to a:

(1) municipality in whose extraterritorial jurisdiction all or part of the district is located; or