SECTION 1. Subsection (o), Section 442.005, Government Code, is amended to read as follows:

(o) The commission may enter into contracts with other state agencies or institutions, [and with] qualified private institutions, and other persons, including for-profit corporations, to carry out the purposes of this chapter. A contract with a for-profit corporation under this chapter may not permit any property preserved, maintained, or administered by the commission under this chapter to display any corporate name, logo, or product other than a discreet plaque or similar acknowledgment that does not detract from the property's historic purpose.

SECTION 2. Subsection (b), Section 442.0056, Government Code, is amended to read as follows:

(b) The commission shall restore and maintain each historic site acquired under this section for the benefit of the general public. The commission may enter into interagency contracts and contracts with other persons, including for-profit corporations, for this purpose.

SECTION 3. Subsection (c), Section 442.007, Government Code, is amended to read as follows:

(c) The commission may enter into contracts or cooperative agreements with the federal government, other state agencies, state or private museums or educational institutions, or qualified persons, including for-profit corporations, [and] individuals for prehistoric or historic archeological investigations, surveys, excavations, or restorations in this state.

SECTION 4. Subsection (c), Section 442.072, Government Code, is amended to read as follows:

(c) The commission may enter into an agreement with a nonprofit or for-profit corporation, foundation, association, or other nonprofit or for-profit entity for the expansion, renovation, management, operation, or financial support of a historic site.

SECTION 5. Subsection (d), Section 442.075, Government Code, is amended to read as follows:

(d) On or after the transfer of jurisdiction over a historic site, the commission may enter into an agreement with a nonprofit or for-profit corporation, including the Admiral Nimitz Foundation, for the expansion, renovation, management, operation, or financial support of the site.

SECTION 6. Subsection (b), Section 442.101, Government Code, is amended to read as follows:

(b) The commission may contract with any appropriate entity, including a for-profit corporation, for services necessary to carry out its responsibilities regarding historic sites described by Subchapter C.

SECTION 7. The changes in law made by this Act apply only to a contract entered into by the Texas Historical Commission on or after the effective date of this Act.

SECTION 8. This Act takes effect September 1, 2013.

Passed the Senate on March 27, 2013: Yeas 30, Nays 0; passed the House on May 22, 2013: Yeas 145, Nays 0, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 551

S.B. No. 624

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 137; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
CHAPTER 8421. MONTGOMERY COUNTY MUNICIPAL
UTILITY DISTRICT NO. 137

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8421.001. 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 Montgomery County Municipal Utility District No. 137.

Sec. 8421.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8421.003. 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. 8421.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8421.003 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. 8421.005. 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. 8421.006. 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. 8421.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.
(b) Except as provided by Section 8421.052, directors serve staggered four-year terms.

Sec. 8421.052. TEMPORARY DIRECTORS. (a) The temporary board consists of:
(1) Deborah Hamilton Arterburn;
(2) Christina Eliasha Cole;
(3) Jared Sean Fargo;
(4) Aimee Ordeneaux Raley; and
(5) Robert Wempe.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8421.003; 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 8421.003 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 8421.003; 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. 8421.101. GENERAL POWERS AND DUTIES. The district has the powers and
duties necessary to accomplish the purposes for which the district is created.

Sec. 8421.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The dis-
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. 8421.103. 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. 8421.104. 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. 8421.105. 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. 8421.151. 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 8421.153.

(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. 8421.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8421.151, 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. 8421.153. 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. 8421.201. 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. 8421.202. 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. 8421.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Montgomery County Municipal Utility District No. 137 initially includes all the territory contained in the following area:

A METES AND BOUNDS description of a 500.9 acre tract of land situated in the Joseph Miller Survey, Abstract No. 27 and the James Brown Survey, Abstract No. 78 of Montgomery County, Texas; being all of Tracts 1 through 7 conveyed to Venton L. Doughtie, Jr., by Deed, as filed for record under Volume 724, Page 836 of the Montgomery County Deed Records; said 500.9 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, Central Zone, NAD 83:

BEGINNING at the northwest corner of said Tract 7 in the south line of a called 20 acre tract conveyed to J.J. Hubenak and wife, Shirley Fay Hubenak by Warranty Deed with Vendor's Lien as file for record under Volume 597, Page 165 of the Montgomery County Deed Records and being the northeast corner of a called 16.92 acre tract conveyed to Gale Philip Clee by General Warranty Deed as filed for record under Volume 677, Page 914 of the Montgomery County Deed Records;

THENCE, North 87°57'51" East, 1375.35 feet along the north line of said Tract 7 to a found 1/2-inch iron rod in asphalt for the northeast corner of said Tract 7;

THENCE, South 01°02'09" East, 570.46 feet along the east line of said Tract 7 and the west right-of-way of Dry Creek Road to a set 5/8-inch iron rod (with cap stamped "Cotton Surveying") in the south right of Standard Road (width varies) as filed for record under Clerk's File No. 6384576 of the Montgomery County Official Public Records of Real Property;

THENCE, in a northeast direction, along the south right-of-way of said Standard Road, with the arc of a curve to the right, having a radius of 3037.94 feet, a central angle of 04°48'54"; an arc length of 255.30 feet, and a chord bearing North 87°29'06" East., 255.23 feet to a set 5/8-inch iron rod (with cap stamped “Cotton Surveying”);
THENCE, North 89°53'38" East, 1694.22 feet continuing along the south right-of-way of said Standard Road to a set 5/8-inch iron rod (with cap stamped “Cotton Surveying”), from which a found 5/8-inch iron rod bears North 05°27'48" East, 2.82 feet;

THENCE, in a northeast direction, with the arc of a curve to the left, having a radius of 882.88 feet, a central angle of 06°42'29", an arc length of 103.37 feet, and a chord bearing North 88°32'18" East, 103.31 feet to a found 5/8-inch iron rod for the northwest corner of a called 1.022 acre tract conveyed to Donald R. Midkiff and wife Shirley Midkiff by Warranty Deed as filed for record under Clerk's File No. 2010098867 of the Montgomery County Official Public Records of Real Property and being the northwest corner of Springwood Estates, Section 1 (unrecordeed);

THENCE, South 02°00'53" East, along the west line of said Springwood Estates, Section 1, at 766.49 feet passing a found 5/8-inch iron rod for the northwest corner of a called 2.003 acre tract conveyed to Michael G. Meek and wife Diana Meek as filed for record under Volume 1113, Page 176 of Montgomery County Deed Records, at 534.83 feet passing a 1 1/2-inch iron pipe for the northwest corner of a tract containing all of Lot 7 and a part of Lot 8 conveyed to Robert Barton and wife Amy L. Barton by Warranty Deed with Vendor's Lien as filed for record under Clerk's File No. 9515955 of the Montgomery County Official Public Records of Real Property, at 1137.52 feet passing a found 1 1/2-inch iron pipe, at 1137.52 feet. 0.13 feet right passing a found 5/8-inch iron rod, at 1508.84 feet passing a found 5/8-inch iron rod for the northwest corner of a called 2.1501 acre tract conveyed to Donald R. Midkiff and wife Shirley Midkiff by Warranty Deed as filed for record under Volume 1115, Page 125 of the Montgomery County Deed Records, continuing for a total distance of 1688.79 feet to a found concrete monument for the southwest corner of said 2.1501 acre tract, the southwest corner of said Springwood Estates, Section1, in the north line of Lot 26 of Springwood Estates, Section 2 conveyed to Shelly Huckaby by Warranty Deed as filed for record under Clerk's File No. 95011347 of the Montgomery County Official Public Records of Real Property;

THENCE, South 87°57'23" West, along the north line of said Springwood Estates, Section 2, at 100.09 feet passing a found 5/8-inch iron rod for the northwest corner of said Lot 26 and the northeast corner of a called 1.8499 acre tract conveyed to Bradley A. Johnson by Warranty Deed as filed for record under Clerk's File No. 9634196 of the Montgomery County Official Public Records of Real Property, at 394.75 feet, 0.30 feet left passing a found 5/8-inch iron rod and continuing for a total distance of 583.38 feet to a set 5/8-inch iron rod (cap stamped “Cotton Surveying”) from which a found nail (bent) bears North 25°40' West, 2.87 feet and a found Axle for the northwest corner of said Tract 4 bears South 87°37'23" West, 602.52 feet;

THENCE, South 03°18'25" East, along the west line of said Springwood Estates Section 2, at 143.55 feet passing a found 5/8-inch iron rod for the northwest corner of a called 2.8114 acre tract conveyed to Michael W. Allen and wife Kathy Allen by General Warranty Deed with Vendor's Lien as filed for record under Clerk's File No. 2001-101668 of the Montgomery County Official Public Records of Real Property, at 617.85 feet, 0.62 feet left passing a found 5/8-inch iron rod, at 818.78 feet passing a found 5/8-inch iron rod for the northwest corner of a called 3.4 acre tract conveyed to Donald Midkiff and wife Shirley Midkiff by Warranty Deed as filed for record under Clerk's File No. 99011347 of the Montgomery County Official Public Records of Real Property, at 1058.51 feet, 0.28 feet left passing a found 5/8-inch iron rod, at 1499.73 feet passing a found 5/8-inch iron rod for the northwest corner of a called 1.0500 acre tract conveyed to Montgomery County, Texas by Warranty Deed as file for record under Clerk's File No. 9659816 of the Montgomery County Official Public Records of Real Property, and continuing for a total distance of 2035.72 feet to a point in the centerline of Spring Creek;

THENCE, along the meanders of the centerline of Spring Creek the following courses and distances:

1. South 64°37'47" West, 45.82 feet to a point;
2. South 20°42'36" West, 107.16 feet to a point;
3. South 60°34'50" West, 52.22 feet to a point;
4. South 86°56'10" West, 153.14 feet to a point;
5. North 46°17'30" West, 172.35 feet to a point;
6. North 84°29'19" West, 113.48 feet to a point;
7. South 75°36'55" West, 69.93 feet to a point;
8. South 39°43'46" West, 295.96 feet to a point;
9. South 42°29'34" West, 121.65 feet to a point;
10. South 24°21'30" West, 171.48 feet to a point;
11. South 46°07'02" West, 374.25 feet to a point;
12. South 02°38'20" East, 54.32 feet to a point;
13. South 18°34'57" East, 145.37 feet to a point;
14. South 62°36'46" East, 13.16 feet to a point;
15. South 19°27'39" East, 47.27 feet to a point;
16. South 56°55'21" West, 42.55 feet to a point;
17. South 80°40'29" West, 27.74 feet to a point;
18. North 75°34'20" West, 60.34 feet to a point;
19. North 45°24'17" West, 92.21 feet to a point;
20. South 69°37'01" West, 122.47 feet to a point;
21. South 01°52'10" West, 80.77 feet to a point;
22. South 47°53'22" West, 257.25 feet to a point;
23. South 62°49'43" West, 107.87 feet to a point;
24. South 70°51'08" West, 113.74 feet to a point;
25. South 47°54'19" East, 39.09 feet to a point;
26. South 33°56'40" East, 40.49 feet to a point;
27. South 19°44'57" East, 215.80 feet to a point;
28. In a southwest direction, with the arc of said curve to the right, having a radius of 112.17 feet, a central angle of 89°09'41", an arc length of 174.55 feet, and a chord bearing South 16°35'46" West, 157.46 feet;
29. South 78°20'54" West, 127.86 feet to a point;
30. South 62°48'04" West, 67.77 feet to a point;
31. South 43°07'36" West, 199.77 feet to a point;
32. South 11°09'17" West, 224.55 feet to a point;
33. South 16°52'24" West, 81.16 feet to a point;
34. South 16°13'30" East, 65.10 feet to a point;
35. South 03°02'55" West, 577.13 feet to a point;
36. South 02°51'05" East, 65.04 feet to a point;
37. South 11°08'15" West, 109.37 feet to a point;
38. South 38°39'44" West, 78.65 feet to a point;
39. South 47°30'41" West, 136.45 feet to a point;
40. South 39°01'15" West, 183.90 feet to a point;
41. North 77°44'05" West, 78.71 feet to a point;
42. South 60°20'13" West, 44.60 feet to a point;
43. South 30°10'19" West, 101.61 feet to a point;
44. South 05°54'03" East, 96.43 feet to a point;
45. South 03°36'26" West, 160.90 feet to a point;
46. South 19°08'19" East, 52.87 feet to a point;
47. South 15°28'22" West, 110.56 feet to a point;
48. South 26°18'48" West, 193.37 feet to a point;
49. South 25°07'04" West, 284.81 feet to a point;
50. South 21°59'56" West, 319.08 feet to a point;
THENCE, North 01°51'21" West, leaving the centerline of said Spring Creek along the west line of said Tract 1, at 1111.01 feet, 0.30 feet right passing a found Flat Bar (leaning), at 1352.28 feet, 0.01 feet right a found T-Rail, and continuing for a total distance of 1830.00 feet to a set 5/8-inch iron rod (with cap stamped “Cotton Surveying”); 

THENCE, North 02°33'57" West, continuing along the west boundary line of said Tract 1, at 102.90 feet, 0.05 feet left a found axle, at 247.93 feet, 1.78 feet right a found concrete monument and continuing for a total distance 2010.73 feet to a found concrete monument for the southeast corner of said Tract 5 and the northeast corner of a called 222.0856 acre tract conveyed to Derek Alan Metz and Clyde Metz as filed for record under Clerk's File No. 2009-058942 of the Montgomery County Official Public Records; 

THENCE, South 87°46'40" West, along the common line of said Tract 5 and said 222.0856 acre tract 576.99 feet to a found concrete monument for the southwest corner of said Tract 5 and the northwest corner of said 222.0856 acre tract; 

THENCE, North 03°15'31" West, along the west line of said Tract 5, 1731.48 feet to a found T-Rail for the northwest corner of said Tract 5 and the northwest corner of said 222.0856 acre tract; 

THENCE, North 03'23'08" West, along the east line of said 0.6853 acre tract and the west line of said Tract 2, 1185.47 feet to a set 5/8-inch iron rod (with cap stamped “Cotton Surveying”), from which a found axle bears South 88°01' West, 1.83 feet; 

THENCE, North 00°57'02" West, at 25.43 feet passing a found 1/2-inch iron rod for the southwest corner of said Tract 7 and a northwest corner of said Tract 2, at 604.97 feet, 1.52 feet right a found 5/8-inch iron rod, at 811.95 feet, 5.19 feet right a found 1/2-inch iron rod (stamped “RPLS 3971 Rainke”), at 1191.18 feet, 0.52 feet left a found 5/8-inch iron rod, at 1776.38 feet, 0.84 feet left a found 5/8-inch iron rod and continuing for a total distance of 2348.57 feet to the POINT OF BEGINNING, CONTAINING 500.9 acres of land in Montgomery County, Texas as shown on drawing number 2407 in the office of Cotton Surveying, The Woodlands, Texas.
(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 8421, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8421.106 to read as follows:

Sec. 8421.106. 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. Except as provided by Section 4 of this Act:

(1) 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; and

(2) if this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed the Senate on April 11, 2013: Yeas 31, Nays 0; passed the House on May 22, 2013: Yeas 147, Nays 1, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 552

S.B. No. 628

AN ACT
relating to the creation of regional emergency communications districts; authorizing the issuance of bonds; authorizing a fee.

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

SECTION 1. Chapter 772, Health and Safety Code, is amended by adding Subchapter G to read as follows:

SUBCHAPTER G. REGIONAL EMERGENCY COMMUNICATIONS DISTRICTS:
STATE PLANNING REGION WITH POPULATION OVER 1.5 MILLION

Sec. 772.501. SHORT TITLE. This subchapter may be cited as the Regional Emergency Communications District Act.

Sec. 772.502. DEFINITIONS. In this subchapter:

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

(2) “District” means a regional emergency communications district created under this subchapter.

(3) “Participating jurisdiction” means a county or principal municipality that adopts a resolution to participate in a district created under this subchapter.

(4) “Principal municipality” means the municipality with the largest population in a region.

(5) “Region” means a state planning region established under Chapter 391, Local Government Code.

(6) “Regional planning commission” means a commission or council of governments created under Chapter 391, Local Government Code, for a designated region.

Sec. 772.503. APPLICATION OF SUBCHAPTER. This subchapter applies to a region:

(1) with a population of more than 1.5 million;