

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SUPPORTING LEGISLATION TO CREATE "SPRADLEY FARMS IMPROVEMENT DISTRICT OF KAUFMAN COUNTY" TO INCLUDE APPROXIMATELY 621.998 ACRES OF LAND GENERALLY LOCATED SOUTH OF INTERSTATE 20, NORTH AND EAST OF FM 2757, AND NORTH AND WEST OF UNION HILL ROAD, IN KAUFMAN COUNTY, TEXAS, AND BEING LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Spradley Farms Improvement District of Kaufman County (the "District") is proposed for creation by the Texas Legislature over the land shown in Exhibit "A" within the corporate boundaries of the City of Mesquite, Texas (the "City"), for the benefit of the public, including the construction and maintenance of water, wastewater and drainage facilities, roads, parks and recreational facilities; and

WHEREAS, the City desires to support legislation for the creation of the District to develop the land within the District for residential and commercial uses subject to the City's review and consent; and

WHEREAS, the Texas Water Code requires that the City consent to formation of the District within the City's corporate boundaries; and

WHEREAS, the City and the developer of land within the District ("Developer") are currently negotiating issues regarding the development of land within the District, including public infrastructure and services to be provided, methods of financing public infrastructure and services, development standards and operating requirements for the District; and

WHEREAS, the City is in support of such legislation and will continue to work with the Developer on issues, regulations and agreements pertaining to the development of land within the District and operating requirements for the District, but reserves the City's right to grant, condition, revoke or withhold its consent to the creation of the District after filing of the legislation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the facts and recitations in the preamble of this resolution are true and correct and incorporated herein by reference.

SECTION 2. That the City Council supports the passage of special legislation in the 86th Texas Legislature for the creation of the District substantially in the form attached hereto as Exhibit "B" and incorporated herein for all purposes.

SECTION 3. That the passage of this resolution does not constitute the City's specific consent to the creation of the District as required by the Constitution and laws of the State of Texas, and the City specifically reserves the right to consent to the District and impose consent conditions on the District.

SECTION 4. That the City Council retains the right to withdraw its support from the legislation creating the District if during the legislative process provisions in the legislation attached hereto as Exhibit B are substantively amended.

SECTION 5. That this resolution shall be in full force and effect from and after its passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 18th day of March 2019.

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Stan Pickett  
Mayor

ATTEST:

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Sonja Land  
City Secretary

APPROVED:



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David L. Paschall  
City Attorney

**EXHIBIT "A"**

Spradley Farms Improvement District of Kaufman County

-Legal Description and Depiction of District

## EXHIBIT "A"

### TRACT I

Being a 613.573 acre tract of land situated in the Martha Musick Survey, Abstract No.312, Kaufman County, Texas, and being all of the described tracts of land conveyed by deed to Spradley/Forney Development, LTD., as recorded in Volume 1915, Page 215, Deed Records, Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at a found 3/8 inch iron rod, said point being the southwest corner of said Spradley/Forney tract, and the northwest corner of a tract of land conveyed to Heartland First Baptist Church, as recorded in Volume 3120, Page 471, Deed Records, Kaufman County, Texas, and being in the existing east right-of-way line of F.M. Road No. 2757 (a 100 foot Right-of-way);

THENCE North 45°12'17" West, along said existing east right-of-way line, a distance of 3200.34 feet to a point for corner;

THENCE North 45°48'19" West, continuing along said existing east right-of-way line, a distance of 2152.36 feet to a found concrete monument for corner;

THENCE North 37°07'32" West, a distance of 101.59 feet to a found 3/8 inch iron rod for corner;

THENCE North 45°48'19" West, a distance of 94.96 feet to a point for corner, said point being the southeast corner of a tract of land conveyed by deed to Donald G. Jr and Leasa K. Davis, as recorded in Volume 3471, Page 60, Deed Records, Kaufman County, Texas;

THENCE North 12°57'53" East, along the east line of said Davis tract, a distance of 1211.80 feet to a point for corner;

THENCE North 44°17'49" East, leaving said east line, a distance of 1211.38 feet to a point for corner, said point being in the existing south right-of-way line of State Highway I-20 (a variable width right-of-way line)

THENCE South 83°33'01" East, along said existing south right-of-way line, a distance of 2163.89 feet to a point for corner, said point being the northwest corner of a tract of land conveyed by deed to I-20 Mesquite Limited Partnership, as recorded in Volume 3072, Page 537, Deed Records, Kaufman County, Texas;

THENCE South 45°47'24" East, leaving said existing south right-of-way line, a distance of 1653.63 feet to a point for corner;

THENCE North 44°01'19" East, a distance of 1275.56 feet to a point for corner, said point being in the existing south right-of-way line of said State Highway I-20;

THENCE South 49°15'08" East, along said existing south right-of-way line, a distance of 30.13 feet to a point for corner;

THENCE North 63°09'15" East, continuing along said existing south right-of-way line, a distance of 125.17 feet to a point for corner;

THENCE South 89°55'49" East, a distance of 174.62 feet to a point for corner;

THENCE North 85°19'44" East, a distance of 1321.76 feet to a point for corner;

THENCE North 83°01'46" East, a distance of 386.92 feet to a point for corner, said point being the northwest corner of a tract of land conveyed by deed to Hubert C. Jr White and Pamela Sue Ray, as recorded in Volume 342, Page 585, Deed Records, Kaufman County, Texas;

THENCE South 07°49'06" East, leaving said existing south right-of-way line, and along the west line of said White tract, a distance of 1539.16 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to Maryfield, LTD, as recorded in Volume 5835, Page 580, Deed Records, Kaufman County, Texas;

THENCE South 43°07'16" West, leaving said west line, and along the north line of said Maryfield tract, a distance of 406.47 feet to a point for corner;

THENCE South 39°47'32" East, continuing along said north line, a distance of 29.09 feet to a point for corner;

THENCE South 42°47'25" West, a distance of 349.18 feet to a point for corner, said point being the northwest corner of said Maryfield tract, and the northwest corner of a tract of land conveyed by deed to Hannover Estates, LTD, as recorded in Volume 5835, Page 570, Deed Records, Kaufman County, Texas;

THENCE South 11°17'46" East, leaving said north line, and along the west line of said Hannover tract, a distance of 362.66 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to David R. and Winona Littlefield, as recorded in Volume 1190, Page 528, Deed Records, Kaufman County, Texas;

THENCE South 67°38'08" West, leaving said west line and along the north line of said Littlefield tract, a distance of 401.86 feet to a point for corner;

THENCE South 22°18'56" East, leaving said north line, and along the west line of said Littlefield tract, a distance of 387.16 feet to a point for corner;

THENCE South 13°40'49" West, continuing along said west line, a distance of 85.16 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to Future Telecom, Inc., as recorded in Volume 3611, Page 280, Deed Records, Kaufman County, Texas;

THENCE South 52°38'20" West, leaving said west line, and along the north line of said Future Telecom tract, a distance of 86.93 feet to a point for corner;

THENCE South 67°42'13" West, continuing along said north line, a distance of 190.04 feet to a point for corner;

THENCE South 76°53'07" West, a distance of 152.17 feet to a point for corner;

THENCE South 88°39'24" West, a distance of 155.78 feet to a point for corner;

THENCE South 43°55'47" West, a distance of 2284.40 feet to a point for corner, said point being in the north line of a tract of land conveyed by deed to Keith and Gina Barron, as recorded in Volume 1167, Page 930, Deed Records, Kaufman County, Texas;

THENCE South 45°15'29" West, a distance of 1143.49 feet to the POINT OF BEGINNING and CONTAINING 26,727,249 square feet, 613.573 acres of land, more or less.

#### TRACT 2

Being a 8.425 acre tract of land situated in the Martha Musick Survey, Abstract No.312, Kaufman County, Texas, and being all of the described tracts of land conveyed by deed to Spradley/Forney Development, LTD., as recorded in Volume 1915, Page 215, Deed Records, Kaufman County, Texas, and being more particularly described as follows:

COMMENCING at a found 1/2 inch iron rod, said point being the southwest corner of Lot 14, and the southeast corner of Lot 13, Lone Star Estates Addition, an addition to the City of Forney, as recorded in Volume 2, Page 516, Plat Records, Kaufman County, Texas, and being in the existing north right-of-way line of State Highway I-20 (a variable width right-of-way)

THENCE North 83°17'41" West, along the south line of said Lot 13, and the existing north right-of-way line, a distance of 102.37 feet to a point for the POINT OF BEGINNING;

THENCE North 83°31'34" West, leaving said south line, and continuing along said existing north right-of-way line, a distance of 1232.22 feet to a point for

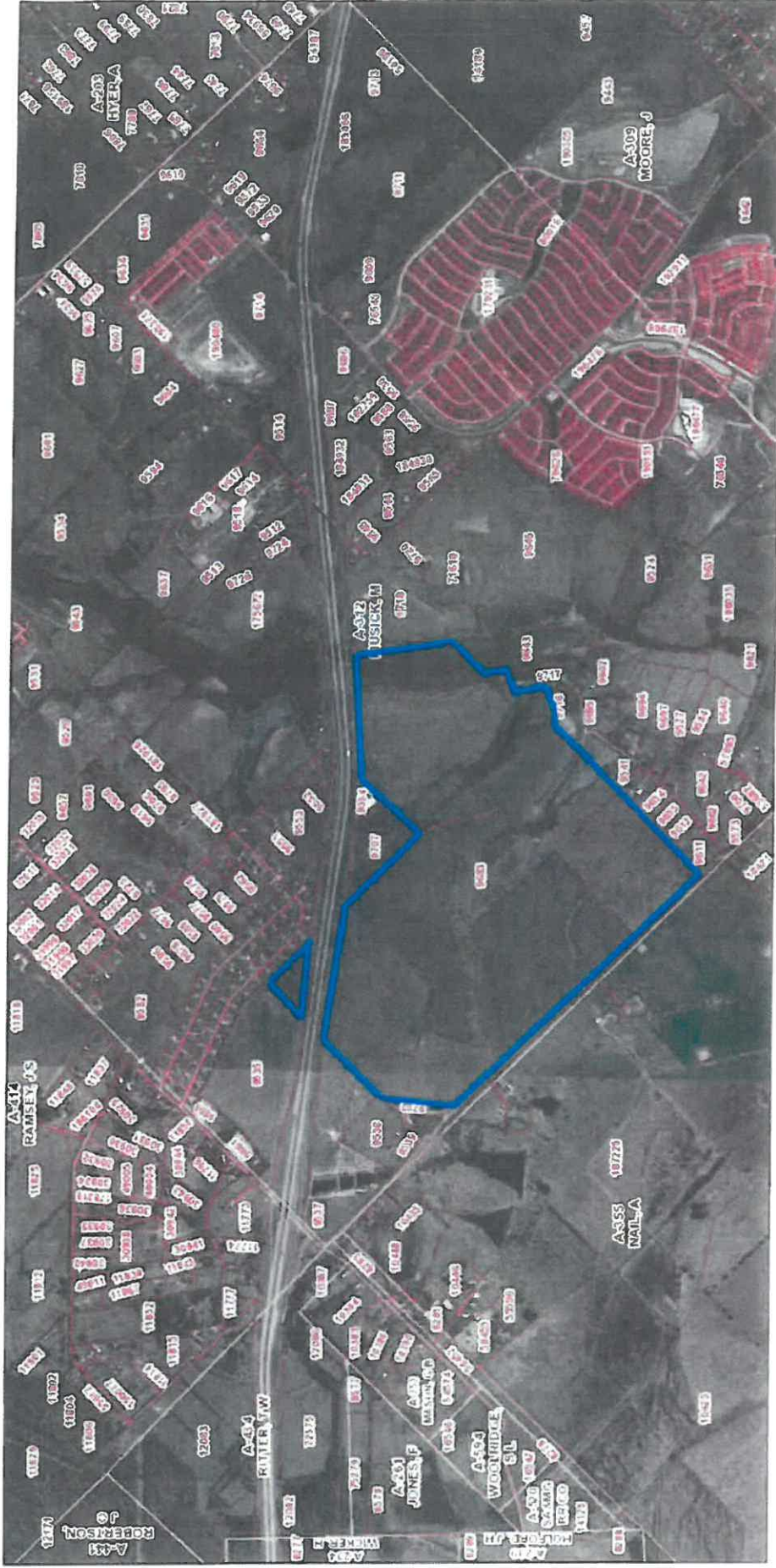
corner, said point being the most southerly southeast corner of a tract of land conveyed by deed to Beam and Sons, Inc, as recorded in Volume 839, Page 241, Deed Records, Kaufman County, Texas;

THENCE North  $44^{\circ}17'49''$  East, leaving said existing north right-of-way line, and along the east line of said Beam and Sons tract, a distance of 754.15 feet to a point for corner, said point being in the west line of said Lone Star Estates Addition;

THENCE South  $45^{\circ}47'24''$  East, leaving said east line, and along said west line, a distance of 973.34 feet to the POINT OF BEGINNING and CONTAINING 367,022 square feet, 8.425 acres of land, more or less.



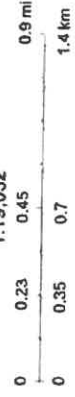
# Spradley Forney Satellite



May 3, 2018

Parcels  
Abstracts

1:19,032



TX: Orthimagery Program, USDA FSA, DigitalGlobe, GeoEye, CNES/Airbus DS

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Kaufman County Appraisal District & BIS Consulting - [www.bisconsultants.com](http://www.bisconsultants.com)



**EXHIBIT "B"**

Spradley Farms Improvement District of Kaufman County

Legislation - Bill

By: \_\_\_\_\_

S.B. No. \_\_\_\_\_

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Spradley Farms Improvement District of Kaufman County;  
providing authority to levy an assessment, impose a tax, and issue bonds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended  
by adding Chapter \_\_\_\_\_ to read as follows:

CHAPTER \_\_\_\_\_ . SPRADLEY FARMS IMPROVEMENT DISTRICT

OF KAUFMAN COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. \_\_\_\_\_ .001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of Mesquite, Texas.

(3) "County" means Kaufman County, Texas.

(4) "Director" means a board member.

(5) "District" means the Spradley Farms Improvement District of Kaufman County.

Sec. \_\_\_\_\_ .002. NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. \_\_\_\_\_ .003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city, the county, and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

(b) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district, and to accomplish the redevelopment of land in the district.

(c) This chapter and the creation of the district may not be interpreted to relieve the city or the county from providing the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant city or county services provided in the district.

Sec. \_\_\_\_\_ .004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

- (1) developing and diversifying the economy of the state;
- (2) eliminating unemployment and underemployment; and
- (3) developing or expanding transportation and

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a residential community and business center;

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways, parking facilities, and conduit facilities and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for road, bridge, and recreational facilities for the district.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art

objects are parts of and necessary components of a street or road and are considered to be a street or road improvement.

(f) The district may not provide, conduct, or authorize any improvement project on the city streets, highways, rights-of-way, or easements without the consent of the governing body of the city.

(g) Subject to any agreement between the district and the city, the city may:

(1) by ordinance, order, or resolution require that title to all or any portion of an improvement project vest in the city; or

(2) by ordinance, order, or resolution or other directive authorize the district to own, encumber, maintain, and operate an improvement project, subject to the right of the city to order a conveyance of the project to the city on a date determined by the city.

(h) The district shall immediately comply with any city ordinance, order, or resolution adopted under Subsection (g).

(i) For the purposes of this section, planning, design, construction, improvement, and maintenance of a lake includes work done for drainage, reclamation, or recreation.

(j) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. .005. 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 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 enter into contracts and to issue any type of bonds for the purposes for which the district is created or to pay the principal of and interest on bonds or obligations pursuant to a contract;

(3) right to impose or collect an assessment or taxes or any other revenue; or

(4) legality or operation.

Sec.           .006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created by the city under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created by the city under Chapter 312, Tax Code; or

(3) an enterprise zone created by the city under Chapter 2303, Government Code.

(b) If the city creates or has created a tax increment reinvestment zone described by Subsection (a), the city and the board of directors of the zone, by contract with the district, may (i) grant money deposited in the tax increment fund to the district to be used by the district for the purposes permitted for money granted to a corporation under Section 380.002(b), Local Government Code, and (ii)



pledge the money deposited in the tax increment fund as security for any bonds issued by the district for an improvement project.

(c) a tax increment reinvestment zone created by the city that includes all or any part of the area of the district is not subject to the limitations provided by Section 311.006(a)(2)(A), Tax Code, as amended or replaced.

Sec. .007. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

Sec. 008. CONSENT OF MUNICIPALITY REQUIRED. (a) Except as provided in subsection (c), before the district may exercise any powers under this chapter, (i) the city must adopt an ordinance or resolution consenting to the creation of the district and to the inclusion of the initial land in the district, and (ii) the district and the city must negotiate and execute a mutually approved and accepted financing and operating agreement authorizing and setting forth the limitations on the issuance of bonds by the district and regarding the development plans and rules for the development and operation of the district and financing of improvement projects and services.

(b) This chapter expires December 31, 2021, if the financing and operating agreement is not executed by the district and the city by that date.

(c) The board shall have the powers necessary, convenient or desirable to negotiate and execute a mutually approved and accepted financing and operating agreement.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. .009. GOVERNING BODY; TERMS. The district is governed by a board of five voting directors. Except for the initial directors appointed pursuant to Section .016, directors serve staggered four-year terms, with two or three directors' terms expiring on June 1 of each even-numbered year.

Sec. .010. APPOINTMENT OF DIRECTORS. (a) Except for the initial directors appointed under Section .016, the board shall recommend to the governing body of the city persons to serve on the board.

(b) After reviewing the recommendations, the governing body shall approve or disapprove the directors recommended by the district. A person is appointed if a majority of members of the governing body of the city approve that person.

Sec. .011. VACANCY. (a) The governing body of the city shall fill a vacancy on the board of directors for the remainder of the unexpired term in the same manner set forth in Section .010.

(b) If at any time there are fewer than three directors, the governing body of the city shall appoint the necessary number of directors who meet the qualifications prescribed by Section .012 to fill all board vacancies.

Sec. .012. ELIGIBILITY. To be qualified to serve as a director, a person must be at least 18 years old and:

(1) a resident of the district;

(2) an owner of property in the district;

(3) an owner of stock whether beneficial or otherwise, of a corporate owner of property in the district;

(4) an owner of a beneficial interest in a trust that owns property in the district; or

(5) an agent, employee or tenant of a person covered by Subdivision (2), (3), or (4).

Sec. .013. QUORUM. (a) For purposes of determining the requirements for a quorum of the board, the following are not counted:

(1) a board position vacant for any reason, including death, resignation, or disqualification; or

(2) a director who is abstaining from participation in a vote because of a conflict of interest.

(b) A majority of a quorum of the board of directors is authorized to take action at a meeting of the board.

Sec. .014. OFFICERS. The board shall elect from among the directors a chair, a vice chair, a secretary and an assistant secretary.

Sec. .015. COMPENSATION. A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.060, Water Code. Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. .016. INITIAL DIRECTORS. (a) The initial board consists of:

<u>Pos. No.</u>	<u>Name of Director:</u>
1	_____
2	_____
3	_____
4	_____
5	_____

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2020, and the terms of directors appointed for positions four and five expire June 1, 2022.

(c) This section expires September 1, 2022.

SUBCHAPTER C. POWERS AND DUTIES

Sec. \_\_\_\_\_ .101. GENERAL POWERS AND DUTIES. (a) The district has the powers and duties necessary to accomplish the purposes for which the district is created including:

(1) the general laws relating to conservation and reclamation districts created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 54, Water Code.

(2) the general laws relating to road districts and road utility districts created under Section 52(b), Article III, Texas Constitution, including Chapters 257 and 441, Transportation Code; and

(4) the general laws relating to municipal management districts created under Sections 52 and 52-a, Article III and Section 59, Article XVI, Texas Constitution, including Chapter 375, Local Government Code.

(b) Section 49.216, Water Code, does not apply to the district.

(c) Subchapter L, Chapter 49, Water Code, does not apply to the district.

Sec. \_\_\_\_\_ .102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using any money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. \_\_\_\_\_ .103. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

(b) The implementation of a project is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec.           .104. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec.           .105. 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.           .106. CONDUIT FACILITIES. (a) The district may finance, acquire, construct, improve, operate, maintain, or charge a fee for the use of conduits for:

(1) fiber-optic cable and supporting facilities;

(2) electronic transmission and distribution lines and supporting facilities; or

(3) other types of transmission and distribution lines and supporting facilities.

(b) The district may not require a person to use a district conduit for a purpose described by Subsection (a)(1) or another telecommunications purpose.

Sec.           .107. GENERAL POWERS REGARDING CONTRACTS. (a) The district may:

(1) contract with any person to accomplish any district purpose including a contract for:

(A) the payment, repayment, or reimbursement of costs incurred by that person on behalf of the district, including all or part of the costs of an improvement project and interest on the reimbursed cost; or

(B) the use, occupancy, lease, rental, operation, maintenance, or management of all or part of a proposed or existing improvement project; and

(2) apply for and contract with any person to receive, administer, and perform a duty or obligation of the district under a federal, state, local, or private gift, grant, loan, conveyance, transfer, bequest, or other financial assistance arrangement relating to the investigation, planning, analysis, study, design, acquisition, construction, improvement, completion, implementation, or operation by the district or others of a proposed or existing improvement project.

(b) A contract the district enters into to carry out a purpose of this chapter may be on any terms and for any period the board determines, including a negotiable or nonnegotiable note or warrant payable to the city, the county, and any other person.

(c) Any person may contract with the district to carry out the purposes of this chapter without further statutory or other authorization.

(d) A contract payable from ad valorem taxes for a period longer than one year must be approved by the governing body of the city.

Sec.           .108. RULES; ENFORCEMENT. (a) The district may adopt rules:



(1) to administer or operate the district;

(2) for the use, enjoyment, availability, protection, security, and maintenance of the district's property and facilities; or

(3) to provide for public safety and security in the district.

(b) The district may enforce its rules by civil monetary penalties and injunctive relief.

(c) To the extent there is a conflict between district rules and city codes, ordinances and regulations, the more restrictive applies.

Sec. .109. NAME CHANGE. The board by resolution may change the district's name upon approval by the Texas Commission on Environmental Quality. The board shall give written notice of the change to the city.

Sec. .110. USE OF ROADWAY, PARK, OR OTHER PUBLIC AREA OF THE DISTRICT. (a) The board by rule may regulate the private use of a public roadway, open space, park, sidewalk, or similar public area in the district. A rule may provide for the safe and orderly use of public roadways, open spaces, parks, sidewalks, and similar public areas or facilities. To the extent a district rule adopted pursuant to this section conflicts with a city code, ordinance or regulation, the more restrictive applies.

(b) The board may require a permit for a parade, demonstration, celebration, entertainment event, or similar nongovernmental activity in or on a public roadway, open space, park, sidewalk, or similar public area or facility. The board may charge a fee for the permit application or for public safety or security services in an amount determined by the board.

(c) The board may require a permit or franchise agreement with a vendor, concessionaire, exhibitor, or similar private or commercial person or organization

for the limited use of the area or facility on terms and on payment of a permit or franchise fee the board may impose.

Sec. \_\_\_\_\_ .111. ADDING OR REMOVING TERRITORY. The board may add or remove territory as provided under Subchapter J, Chapter 49, and Section 54.016, Water Code, except that:

(1) the addition or removal of the territory must be approved by:

(A) the governing body of the city; and

(B) the owners of the territory being added or removed;

(2) a reference to a tax in Subchapter J, Chapter 49, or Section 54.016, Water Code, means an ad valorem tax; and

(3) territory may not be removed from the district if bonds or other obligations of the district payable, wholly or partly, from a valorem taxes on the territory are outstanding.

Sec. \_\_\_\_\_ .112. TERMS OF EMPLOYMENT; COMPENSATION. The board may employ and establish the terms of employment and compensation of an executive director or general manager and any other district employees the board considers necessary.

Sec. \_\_\_\_\_ .113. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

Sec. \_\_\_\_\_ .114 APPROVAL BY THE CITY. (a) The district must obtain the approval of the city for:

(1) the plans and specifications of an improvement project financed by bonds, notes, or other obligations; and

(2) the plans and specifications of an improvement project related to the use of land owned by the city, an easement granted by the city or a right-of-way of a street, road or highway.

(b) Any city approval required under this section may be by an administrative process that does not involve the city's governing body, unless approval of the governing body of the city is required by federal, state, or local law, ordinance or regulation.

(c) Sections 375.207(a), (b), and (c), Local Government Code, do not apply.

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. \_\_\_\_\_ .201. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. \_\_\_\_\_ .202. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. \_\_\_\_\_ .203. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec.           .204. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the District.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property Assessed other than a lien for county, school district or municipal ad valorem taxes;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(4) The lien runs with the land and that portion of an assessment payment that has not yet come due is not eliminated by foreclosure of an ad valorem tax lien.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

(e) Assessments may bear interest at a rate specified by the board that may not exceed the interest rate permitted by Chapter 1204, Government Code. If bonds, time warrants, temporary notes or other obligations are issued to finance the improvement for which the assessment is assessed, the interest rate for that assessment may not exceed a rate that is one-half of one percent higher than the actual interest rate paid on the debt.

(f) Interest on an assessment between the effective date of the order or resolution levying the assessment and the date the first installment and any related penalty is payable shall be added to the first installment. The interest or penalties on all unpaid installments shall be added to each subsequent installment until paid.

(g) An assessment or any reassessment and any interest and penalties on that assessment or reassessment is a lien against the property until it is paid.

(h) The owner of any property assessed may pay at any time the entire assessment against any lot or parcel with accrued interest to the date of the payment.

Section .205. PAYMENT OF COSTS; ASSESSMENTS. (a) Costs of improvements may be paid or reimbursed by any combination of the methods described by this section if the improvements are dedicated, conveyed, leased, or otherwise provided to or for the benefit of:

(1) a municipality or county;

(2) a political subdivision or other entity exercising the powers granted under this subchapter as authorized by other law; or

(3) an entity that:

(A) is approved by the governing body of an entity described by Subdivision (1) or (2); and

(B) is authorized by order, ordinance, resolution, or other official action to act for an entity described by Subdivision (1) or (2).

(a-1) The payment or reimbursement may be provided before or after a method of payment or reimbursement authorized by this section is entered into or issued.

(b) A cost payable by the district as a whole may be paid from general funds available for the purpose or other available general funds.

(c) A cost payable from a special assessment that has been paid in full shall be paid from that assessment.

(d) Costs payable from a special assessment that is payable in installments may be paid by any combination of the following methods:

(1) under an installment sales contract or a reimbursement agreement between the district and the person who acquires, installs, or constructs the improvements; or

(2) by the issuance and sale of bonds under Section .306.

(d-1) An installment sales contract or reimbursement agreement, described by Subsection (d) may be assigned by the payee without the consent of the district.

(e) The interest rate on unpaid amounts due under an installment sales contract or reimbursement agreement described by Subsection (d):

(1) may not exceed, for a period of not more than five years, as determined by the governing body of the municipality or county, two percent above the highest average index rate for tax-exempt bonds reported in a daily or weekly bond



index approved by the governing body and reported in the month before the date the obligation was incurred; and

(2) after the period described by Subdivision (1), may not exceed two percent above the bond index rate described by Subdivision (1).

(g) The cost of more than one improvement may be paid:

(1) from a single issue and sale of bonds without other consolidation proceedings before the bond issue; or

(2) under a single installment sales contract or reimbursement agreement.

(h) All costs incurred in connection with the issuance of bonds may be included in the assessments against the property in the district as provided by this section.

Sec. .206. CONTRACTS FOR COLLECTION OF ASSESSMENTS. The district may contract with the governing body of another taxing unit, as defined by Section 1.04, Tax Code, or the board of directors of an appraisal district to perform the duties of the district relating to collection of special assessments levied under this chapter.

Sec. .207. REASSESSMENT. The governing body of the district may make a reassessment or new assessment of a parcel of land if:

(1) a court of competent jurisdiction sets aside an assessment against the parcel;

(2) the governing body determines that the original assessment is excessive; or

(3) on the written advice of counsel, the governing body determines that the original assessment is invalid.

Sec. .208. TAX AND ASSESSMENT ABATEMENTS. The district may grant abatements of a district tax or assessment on property in the district.

Sec. .209. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161 (a), Local Government Code, does not apply to an assessment imposed by the District.

Sec. .210. GOVERNMENTAL ENTITIES; ASSESSMENTS. (a) Property owned by municipalities, counties or other political subdivisions are exempt from the payment of assessments levied pursuant to this chapter.

(b) Section 375.162, Local Government Code, does not apply to the district.

#### SUBCHAPTER E. TAXES AND BONDS

Sec. .301. GENERAL POWERS REGARDING FINANCIAL MATTERS. The district may:

(1) impose an ad valorem tax on all taxable property in the district, including industrial, commercial, and residential property, to pay for an improvement project;

(2) impose an assessment on property in the district in the manner provided for (A) Subchapters A, E, and F, Chapter 375, Local Government Code, and (B) Subchapter D herein.

(3) provide or secure the payment or repayment of the costs and expenses of the establishment, administration, and operation of the district and the district's costs or share of the costs or revenue of an improvement project or district contractual obligation or indebtedness by or through:

(A) a lease, installment purchase contract, or other agreement with any person;

(B) the imposition of a tax, assessment, user fee, concession fee, or rental charge; or

(C) any other revenue or resources of the district;

(4) establish user charges for the use of nonpotable water for irrigation purposes, subject to the approval of the governing body of the city;

(5) undertake separately or jointly with other persons, including the city or the county, all or part of the cost of an improvement project, including an improvement project:

(A) for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement in and adjacent to the district, subject to approval by the city; or

(B) that confers a general benefit on the entire district or a special benefit on a definable part of the district; and

(6) enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to tax abatement agreements by municipalities.

(7) Section 375.141, Local Government Code, does not apply to the district. The district may not adopt and enforce an impact fee described in Section 49.212(d), Water Code.

Sec. \_\_\_\_\_ .302. ELECTIONS REGARDING TAXES AND BONDS. (a) The district may issue, without an election, bonds, notes, and other obligations secured by:

(1) revenue other than ad valorem taxes including assessment revenues;

or

(2) contract payments described by Section .305.

(b) The district must hold an election in the manner provided by Subchapter L, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) Section 375.243, Local Government Code, does not apply to the district.

(d) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

Sec. .303. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election held for that purpose, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code, for any district purpose, including to:

(1) maintain and operate the district;

(2) construct or acquire improvements; or

(3) provide a service.

(b) The district may not impose a maintenance and operation tax unless the maximum tax rate is approved by the governing body of the city and a majority or the district voters voting at an election held for that purpose. If the maximum tax rate is approved, the board may impose the tax at any rate that does not exceed the approved rate.

(c) Section 49.107(h), Water Code, does not apply to the district.

(d) A maintenance and operation tax election may be held at the same time and in conjunction with any other district election. The election may be called by a separate election order or as part of any other election order.

(e) The proposition in a maintenance and operation tax election may be for a specific maximum rate or for an unlimited rate.

Sec. .304. USE OF SURPLUS MAINTENANCE AND OPERATION MONEY. If the district has surplus maintenance and operation tax money that is not needed for the purposes for which it was collected, the money may be used for any authorized purpose.

Sec. .305. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a 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.

Sec. .306. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board. Section 375.205, Local Government Code, does not apply to a loan, line of credit, or other borrowing from a bank or financial institution secured by revenue other than ad valorem taxes.

(b) The district may issue by competitive sale or negotiated sale, bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, including assessments levied pursuant to this chapter and Chapter 375, Local Government Code, revenue, contract payments, grants, or other district money,

including funds received pursuant to Section .006(b), or any combination of those sources of money, to pay for any authorized district purpose, including for refunding bonds.

(c) Bonds issued pursuant to this section may contain a pledge of assessment revenues from multiple assessments levied by the district for similar improvements on different phases of development within the district and such assessments may be levied at different times.

(d) In exercising the district's borrowing power the district may issue a bond or other obligation in the form of a bond, note, certificate of participation or other instrument evidencing a proportionate interest in payments to be made by the district, or other type of obligation.

Sec. .307. 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 annual ad valorem tax, without limit as to rate or amount, for each year that 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. .308. 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.

Sec. .309. AUTHORIZED INVESTMENTS; SECURITY. (a) Bonds issued under this chapter are legal and authorized investments for:

(1) banks, trust companies, and savings and loan associations;

(2) all insurance companies;

(3) fiduciaries, trustees, and guardians; and



(4) interest funds, sinking funds, and other public funds of the state or of an agency, subdivision, or instrumentality of the state, including a county, municipality, school district, or other district, public agency, or body politic.

(b) Bonds issued under this subchapter may be security for deposits of public funds of the state or of an agency, subdivision, or instrumentality of the state, including a county, municipality, school district, or other district, public agency, or body politic, to the extent of the market value of the bonds, if accompanied by any appurtenant unmatured interest coupons.

SUBCHAPTER I. DIVISION AND DISSOLUTION OF DISTRICT

Sec. .801. DISSOLUTION BY BOARD. (a) Except as provided by Subsection (b), the board:

(1) may dissolve the district on its own motion; and

(2) shall dissolve the district on receipt of a written petition requesting dissolution signed by the owners of 75 percent of the acreage of real property in the district.

(b) The board may not dissolve the district until the district's outstanding indebtedness and contractual obligations have been repaid or discharged.

(c) After the board dissolves the district, the board shall transfer ownership of all district property and assets to the city.

Sec. .802. DISSOLUTION BY CITY ORDINANCE. (a) The city by ordinance may dissolve the district and any new district created pursuant to Subchapter I of this chapter.

(b) Upon dissolution, the city shall succeed to all of the dissolved district's outstanding indebtedness and contractual obligations.

Sec. .803. COLLECTION OF ASSESSMENTS AND OTHER REVENUE. (a) If the district or any new district created under this subchapter I is dissolved by the city under Section .802 and has bonds or other obligations outstanding secured by and payable from assessments or other revenue, other than ad valorem taxes, the city shall succeed to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

(b) The city shall have and exercise all district powers to enforce and collect the assessments or other revenue to pay:

(1) the bonds or other obligations when due and payable according to their terms; or

(2) special revenue or assessment bonds or other obligations issued by the city to refund the outstanding bonds or obligations.

Sec. .804. ASSUMPTION OF ASSETS AND LIABILITIES. (a) After the city dissolves the district or any new district created under this subchapter I, the city assumes the obligations of the dissolved district, including any bonds or other indebtedness payable from assessments or other district revenue.

(b) If the city dissolves the district or any new district created under this subchapter I, the city succeeds to the property and assets of the dissolved district and the board shall transfer ownership of all property and assets of the dissolved district to the city.

Sec. .805. DIVISION OF DISTRICT; PREREQUISITES. The district may be divided into two or more new districts only if the district has never issued any obligations secured by ad valorem taxes.

Sec. .806. 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. .807. LIMITATION ON AREA OF NEW DISTRICT. A new district created by division of the district must be at least 100 acres. 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 2 of the Act enacting this chapter.

Sec. .808. 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) 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) name each person to serve on the board of each new district; and

(4) provide for the division of assets and liabilities between the new districts, and a plan for the payment or performance of any outstanding district obligations.

(c) On or before the 30<sup>th</sup> day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

Sec. .809. 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.

Sec. .810. CITY CONSENT. (a) The board may not adopt an order dividing the district unless the division and appointment of the initial directors for each new district has been approved by the governing body of the city by resolution. The city resolution may set the terms for the division of the district.

(b) A new district created by division of the district shall be subject to the city ordinance or resolution consenting to the creation of the district and new district. Except as provided in Subsection (c), before a new district may exercise any powers under this chapter, the new district must enter into a joinder to the financing and operating agreement with the city.

(c) A new district created by division of the district shall have the powers necessary, convenient, or desirable to carry out and effect the purpose of this section, including organization of its board and approval and execution of a joinder to the financing and operating agreement with the city.

SECTION 2. The Spradley Farms Improvement District of Kaufman County initially includes all the territory contained in the following area:

TRACT 1

Being a 613.573 acre tract of land situated in the Martha Musick Survey, Abstract No.312, Kaufman County, Texas, and being all of the described tracts of land conveyed by deed to Spradley/Forney Development, LTD., as recorded in Volume 1915, Page 215, Deed Records, Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at a found 3/8 inch iron rod, said point being the southwest corner of said Spradley/Forney tract, and the northwest corner of a tract of land conveyed to Heartland First Baptist Church, as recorded in Volume 3120, Page 471, Deed Records, Kaufman County, Texas, and being in the existing east right-of-way line of F.M. Road No. 2757 (a 100 foot Right-of-way);

THENCE North 45°12'17" West, along said existing east right-of-way line, a distance of 3200.34 feet to a point for corner;

THENCE North 45°48'19" West, continuing along said existing east right-of-way line, a distance of 2152.36 feet to a found concrete monument for corner;

THENCE North 37°07'32" West, a distance of 101.59 feet to a found 3/8 inch iron rod for corner;

THENCE North 45°48'19" West, a distance of 94.96 feet to a point for corner, said point being the southeast corner of a tract of land conveyed by deed to Donald G, Jr and Leasa K. Davis, as recorded in Volume 3471, Page 60, Deed Records, Kaufman County, Texas;

THENCE North 12°57'53" East, along the east line of said Davis tract, a distance of 1211.80 feet to a point for corner;

THENCE North 44°17'49" East, leaving said east line, a distance of 1211.38 feet to a point for corner, said point being in the existing south right-of-way line of State Highway I-20 (a variable width right-of-way line)

THENCE South 83°33'01" East, along said existing south right-of-way line, a distance of 2163.89 feet to a point for corner, said point being the northwest corner of a tract of land conveyed by deed to I-20 Mesquite Limited Partnership, as recorded in Volume 3072, Page 537, Deed Records, Kaufman County, Texas;

THENCE South 45°47'24" East, leaving said existing south right-of-way line, a distance of 1653.63 feet to a point for corner;

THENCE North 44°01'19" East, a distance of 1275.56 feet to a point for corner, said point being in the existing south right-of-way line of said State Highway I-20;

THENCE South 49°15'08" East, along said existing south right-of-way line, a distance of 30.13 feet to a point for corner;

THENCE North 63°09'15" East, continuing along said existing south right-of-way line, a distance of 125.17 feet to a point for corner;

THENCE South 89°55'49" East, a distance of 174.62 feet to a point for corner;

THENCE North 85°19'44" East, a distance of 1321.76 feet to a point for corner;

THENCE North 83°01'46" East, a distance of 386.92 feet to a point for corner, said point being the northwest corner of a tract of land conveyed by deed to Hubert C. Jr White and Pamela Sue Ray, as recorded in Volume 342, Page 585, Deed Records, Kaufman County, Texas;

THENCE South 07°49'06" East, leaving said existing south right-of-way line, and along the west line of said White tract, a distance of 1539.16 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to Maryfield, LTD, as recorded in Volume 5835, Page 580, Deed Records, Kaufman County, Texas;

THENCE South 43°07'16" West, leaving said west line, and along the north line of said Maryfield tract, a distance of 406.47 feet to a point for corner;

THENCE South 39°47'32" East, continuing along said north line, a distance of 29.09 feet to a point for corner;

THENCE South 42°47'25" West, a distance of 349.18 feet to a point for corner, said point being the northwest corner of said Maryfield tract, and the northwest corner of a tract of land conveyed by deed to Hannover Estates, LTD, as recorded in Volume 5835, Page 570, Deed Records, Kaufman County, Texas;

THENCE South 11°17'46" East, leaving said north line, and along the west line of said Hannover tract, a distance of 362.66 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to David R. and Winona Littlefield, as recorded in Volume 1190, Page 528, Deed Records, Kaufman County, Texas;

THENCE South 67°38'08" West, leaving said west line and along the north line of said Littlefield tract, a distance of 401.86 feet to a point for corner;



THENCE South 22°18'56" East, leaving said north line, and along the west line of said Littlefield tract, a distance of 387.16 feet to a point for corner;

THENCE South 13°40'49" West, continuing along said west line, a distance of 85.16 feet to a point for corner, said point being the northeast corner of a tract of land conveyed by deed to Future Telecom, Inc., as recorded in Volume 3611, Page 280, Deed Records, Kaufman County, Texas;

THENCE South 52°38'20" West, leaving said west line, and along the north line of said Future Telecom tract, a distance of 86.93 feet to a point for corner;

THENCE South 67°42'13" West, continuing along said north line, a distance of 190.04 feet to a point for corner;

THENCE South 76°53'07" West, a distance of 152.17 feet to a point for corner;

THENCE South 88°39'24" West, a distance of 155.78 feet to a point for corner;

THENCE South 43°55'47" West, a distance of 2284.40 feet to a point for corner, said point being in the north line of a tract of land conveyed by deed to Keith and Gina Barron, as recorded in Volume 1167, Page 930, Deed Records, Kaufman County, Texas;

THENCE South 45°15'29" West, a distance of 1143.49 feet to the POINT OF BEGINNING and CONTAINING 26,727,249 square feet, 613.573 acres of land, more or less.

TRACT 2

Being a 8.425 acre tract of land situated in the Martha Musick Survey, Abstract No.312, Kaufman County, Texas, and being all of the described tracts of land conveyed by deed to Spradley/Forney Development, LTD., as recorded in Volume 1915, Page 215, Deed Records, Kaufman County, Texas, and being more particularly described as follows:

COMMENCING at a found 1/2 inch iron rod, said point being the southwest corner of Lot 14, and the southeast corner of Lot 13, Lone Star Estates Addition, an addition the City of Forney, as recorded in Volume 2, Page 516, Plat Records, Kaufman County, Texas, and being in the existing north right-of-way line of State Highway I-20 (a variable width right-of-way)

THENCE North 83°17'41" West, along the south line of said Lot 13, and the existing north right-of-way line, a distance of 102.37 feet to a point for the POINT OF BEGINNING;

THENCE North 83°31'34" West, leaving said south line, and continuing along said existing north right-of-way line, a distance of 1232.22 feet to a point for corner, said point being the most southerly southeast corner of a tract of land conveyed by deed to Beam and Sons, Inc, as recorded in Volume 839, Page 241, Deed Records, Kaufman County, Texas;

THENCE North 44°17'49" East, leaving said existing north right-of-way line, and along the east line of said Beam and Sons tract, a distance of 754.15 feet to a point for corner, said point being in the west line of said Lone Star Estates Addition;

THENCE South 45°47'24" East, leaving said east line, and along said west line, a distance of 973.34 feet to the POINT OF BEGINNING and CONTAINING 367,022 square feet, 8.425 acres of land, more or less.

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, lieutenant governor, and speaker of the house of representatives within the required time.

(d) The general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with.

(e) 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 have been 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, 2019.

