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1 AN ACT
2 relating to the powers and duties of the Falcon's Lair Utility and
3 Reclamation District relating to the issuance of bonds.

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

5 SECTION 1. Section 19, Chapter 935, Acts of the 69th
6 Legislature, Regular Session, 1985, is amended by amending
7 Subsection (d) and adding Subsection (f) to read as follows:

8 (d) For the payment of all or part of the costs of an
9 improvement project or services under Section 20A of this Act, the
10 board may issue bonds in one or more series payable from and secured
11 by ad valorem taxes, assessments, impact fees, revenues, payments
12 pursuant to an agreement made under Section 311.010(b), Tax Code,
13 dedicating revenue from a tax increment fund, grants, gifts,
14 contracts, or leases or any combination of those funds. Bonds may
15 be liens on all or part of the revenue derived from improvements
16 authorized under Section 20A of this Act, including installment
17 payments of special assessments or from any other source pledged to
18 their payment.

19 (f) Sections 49.181 and 49.182, Water Code, do not apply to:

20 (1) bonds issued by the district and payable from:

21 (A) assessments imposed by the district under
22 Section 20A of this Act that are paid in full on the first
23 conveyance of land after imposition of the assessment; or

24 (B) payments pursuant to an agreement made under

1 Section 311.010(b), Tax Code, dedicating revenue from a tax
2 increment fund; or

3 (2) a project that is financed by an issuance of bonds
4 described by Subdivision (1) of this subsection.

5 SECTION 2. (a) Any act or proceeding of the Falcon's Lair
6 Utility and Reclamation District, including an election, not
7 excepted by this section and taken before the effective date of this
8 Act, is validated and confirmed in all respects as of the date on
9 which the act or proceeding occurred.

10 (b) This section does not apply to:

11 (1) an act, proceeding, director, other official,
12 bond, or other obligation the validity of which or of whom is the
13 subject of litigation that is pending on the effective date of this
14 Act; or

15 (2) an act or proceeding that, under a statute of this
16 state or the United States, was a misdemeanor or felony at the time
17 the act or proceeding occurred.

18 SECTION 3. (a) Section 19, Chapter 935, Acts of the 69th
19 Legislature, Regular Session, 1985, as amended by this Act, applies
20 to bonds issued by the Falcon's Lair Utility and Reclamation
21 District on or after the effective date of this Act, regardless of
22 whether an application for bond approval from the Texas Commission
23 on Environmental Quality is pending on the effective date of this
24 Act. Bonds issued by the district before the effective date of this
25 Act are governed by the law in effect on the date the bonds were
26 issued, and that law is continued in effect for that purpose.

27 (b) Section 19, Chapter 935, Acts of the 69th Legislature,

1 Regular Session, 1985, as amended by this Act, applies only to the
2 construction of a project by the Falcon's Lair Utility and
3 Reclamation District that commences on or after the effective date
4 of this Act. Construction of a district project that commenced
5 before the effective date of this Act is governed by the law in
6 effect on the date the construction commenced, and that law is
7 continued in effect for that purpose.

8 SECTION 4. (a) The legal notice of the intention to
9 introduce this Act, setting forth the general substance of this
10 Act, has been published as provided by law, and the notice and a
11 copy of this Act have been furnished to all persons, agencies,
12 officials, or entities to which they are required to be furnished
13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
14 Government Code.

15 (b) The governor, one of the required recipients, has
16 submitted the notice and Act to the Texas Commission on
17 Environmental Quality.

18 (c) The Texas Commission on Environmental Quality has filed
19 its recommendations relating to this Act with the governor, the
20 lieutenant governor, and the speaker of the house of
21 representatives within the required time.

22 (d) All requirements of the constitution and laws of this
23 state and the rules and procedures of the legislature with respect
24 to the notice, introduction, and passage of this Act are fulfilled
25 and accomplished.

26 SECTION 5. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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S.B. No. 2462

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.

S.B. No. 2462

Rand Newkirk
President of the Senate

Jon Strawn
Speaker of the House

I hereby certify that S.B. No. 2462 passed the Senate on April 23, 2009, by the following vote: Yeas 30, Nays 0.

Atsuy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 2462 passed the House on May 26, 2009, by the following vote: Yeas 144, Nays 0, three present not voting.

Robert Hamer
Chief Clerk of the House

Approved:

19 JUN '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK
JUN 19 2009

Colby Shuter III