

Chapter 592

S.B. No. 1014

AN ACT

1  
2 relating to The Woodlands Township.

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

4 SECTION 1. Section 8(e), Chapter 289, Acts of the 73rd  
5 Legislature, Regular Session, 1993, is amended to read as follows:

6 (e) A vacancy in the office of director shall be filled by  
7 appointment of a qualified individual by a majority vote of the  
8 remaining directors[~~, except that if the number of directors for  
9 any reason is less than four, on petition of a resident of or owner  
10 of real property in the district, the commission shall appoint the  
11 required number of qualified individuals to fill the vacancies].~~

12 SECTION 2. Section 11B, Chapter 289, Acts of the 73rd  
13 Legislature, Regular Session, 1993, is amended by adding Subsection  
14 (b) to read as follows:

15 (b) Notwithstanding Subsection (a) of this section, if at  
16 least 99 percent of the territory of the district is incorporated  
17 and the district is dissolved in the manner provided by Section 14A  
18 of this Act, the district or municipality shall apply the proceeds  
19 from a hotel occupancy tax imposed under Section 11A of this Act:

20 (1) for the purposes described by Section 351.101, Tax  
21 Code; or

22 (2) as may otherwise be required in connection with  
23 the district's debt and other obligations existing before the  
24 incorporation to which the proceeds from a hotel occupancy tax

1 imposed under Section 11A of this Act have been pledged.

2 SECTION 3. Section 11C(p), Chapter 289, Acts of the 73rd  
3 Legislature, Regular Session, 1993, is amended to read as follows:

4 (p) Sections 311.002 and 311.014 through 311.017, Tax Code,  
5 apply to the district, except that for purposes of this subsection:

6 (1) a reference in those sections to a municipality  
7 means the district and the development zone;

8 (2) a reference in those sections to an ordinance  
9 means an order;

10 (3) a reference in those sections to a reinvestment  
11 zone means a development zone;

12 (4) a reference in those sections to an agreement made  
13 under Subsection (b), Section 311.010, Tax Code, means an agreement  
14 made under Subsection (1) of this section;

15 (5) "development" means initial development;

16 (6) "redevelopment" means substantial redevelopment;

17 (7) Section 311.016, Tax Code, applies only if ad  
18 valorem taxes are used, in whole or in part, in payment of project  
19 costs of a development zone; and

20 (8) a development zone created without a duration or  
21 date of termination may be dissolved by a two-thirds vote of the  
22 board of directors of the district or of the governing body of a  
23 municipality or other form of local government, other than the  
24 development zone, succeeding to the principal assets, powers,  
25 functions, and liabilities of the district, but only if:

26 (A) the development zone has no outstanding  
27 indebtedness or other obligations; or

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1                   (B) the assets, powers, functions, and  
2 liabilities, and any outstanding indebtedness or obligations, of  
3 the development zone are expressly assumed by the district or the  
4 succeeding municipality or local government.

5           SECTION 4. Chapter 289, Acts of the 73rd Legislature,  
6 Regular Session, 1993, is amended by adding Section 14A to read as  
7 follows:

8           Sec. 14A. INCORPORATION. (a) This section prevails over  
9 any other provision of this Act that conflicts with or is  
10 inconsistent with this section.

11           (b) Except as provided by Subsections (c) and (f) of this  
12 section, and subject to any applicable limitations of the  
13 constitution of this state, if the incorporation of at least 99  
14 percent of the territory of the district and the transfer of the  
15 rights, powers, privileges, duties, purposes, functions, and  
16 responsibilities of the district and the district's authority to  
17 issue bonds and impose a tax to the municipality are approved by a  
18 majority of the voters voting in an election held for that purpose,  
19 including an election described by Section 9(h)(2) of this Act:

20                   (1) the assets, liabilities, obligations, rights,  
21 powers, privileges, duties, purposes, functions, and  
22 responsibilities of the district and the district's authority to  
23 issue bonds and impose a tax are transferred to the municipality;  
24 and

25                   (2) the district is dissolved.

26           (c) If on the date the incorporation of the territory of the  
27 district is approved at an election described by Subsection (b) of

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1 this section the district owes any debt that cannot be transferred  
2 to the municipality, the district is continued until the debt is  
3 retired or is restructured in a manner that the debt may be  
4 transferred to the municipality.

5 (d) If the conditions described by Subsection (c) of this  
6 section are met:

7 (1) the board shall adopt an order certifying that the  
8 conditions have been met; and

9 (2) on the effective date of the order:

10 (A) the assets, liabilities, obligations,  
11 rights, powers, privileges, duties, purposes, functions, and  
12 responsibilities of the district and the district's authority to  
13 issue bonds and impose a tax are transferred to the municipality;  
14 and

15 (B) the district is dissolved.

16 (e) In addition to any other restructuring methods  
17 permitted by law, the district may restructure its outstanding debt  
18 for the purpose of transferring the debt to the municipality by  
19 issuing refunding bonds secured by:

20 (1) a limited pledge of ad valorem tax revenue not  
21 greater than that authorized to be levied by the municipality;

22 (2) a pledge of one or more other sources of revenue  
23 available to the district that are also available to the  
24 municipality under this section or general law; or

25 (3) a pledge of a combination of revenues described by  
26 Subdivisions (1) and (2) of this subsection.

27 (f) The transfer of assets, liabilities, obligations,

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1 rights, powers, privileges, duties, purposes, functions, and  
2 responsibilities of the district and the district's authority to  
3 issue bonds and impose a tax to the municipality under this section  
4 is effective regardless of whether the boundaries of the  
5 municipality are coterminous with the boundaries of the district,  
6 unless the transfer would materially impair the security for a debt  
7 transferred to the municipality. If the transfer would materially  
8 impair the security for a debt transferred to the municipality, the  
9 debt must be restructured in the manner provided by this section  
10 before the transfer may occur.

11 SECTION 5. Subtitle X, Title 6, Special District Local Laws  
12 Code, is amended by adding Chapter 11011 to read as follows:

13 CHAPTER 11011. THE WOODLANDS TOWNSHIP

14 Sec. 11011.001. DEFINITION. In this chapter, "district"  
15 means The Woodlands Township.

16 Sec. 11011.002. LAW GOVERNING DISTRICT. The district is  
17 governed by this chapter and Chapter 289, Acts of the 73rd  
18 Legislature, Regular Session, 1993.

19 Sec. 11011.003. DISSOLUTION OF DISTRICT. (a) If at least  
20 99 percent of the territory of the district is incorporated and the  
21 district is dissolved in the manner provided by Section 14A,  
22 Chapter 289, Acts of the 73rd Legislature, Regular Session, 1993,  
23 only the following sections of Chapter 289, Acts of the 73rd  
24 Legislature, Regular Session, 1993, apply to the municipality in  
25 addition to any applicable general law provisions, a reference in  
26 those sections to the district means the municipality, and a  
27 reference in those sections to the board or board of directors means

7/16/00  
M/Gee

1 the governing body of the municipality:

2           (1) Sections 6(a) and (c);

3           (2) Sections 7(a), (b), (c), (e), (f), (g), (h), (i),  
4 (j), (l), (n), (o), (p), (q), (r), (t), (u), (v), (w), (y), (z), and  
5 (aa);

6           (3) Section 7H;

7           (4) Sections 9(h)(3), (4), and (5);

8           (5) Section 11;

9           (6) Section 11A;

10          (7) Section 11B;

11          (8) Section 11B-1;

12          (9) Section 11C;

13          (10) Sections 12A(a), (c), (d), (e), and (f); and

14          (11) Section 13.

15          (b) The remaining provisions of Chapter 289, Acts of the  
16 73rd Legislature, Regular Session, 1993, do not apply to the  
17 municipality after the dissolution of the district.

18           SECTION 6. (a) The legal notice of the intention to  
19 introduce this Act, setting forth the general substance of this  
20 Act, has been published as provided by law, and the notice and a  
21 copy of this Act have been furnished to all persons, agencies,  
22 officials, or entities to which they are required to be furnished  
23 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
24 Government Code.

25           (b) The governor, one of the required recipients, has  
26 submitted the notice and Act to the Texas Commission on  
27 Environmental Quality.

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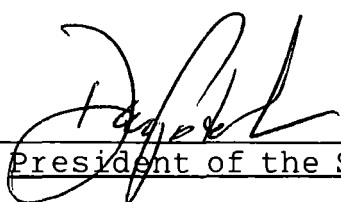
1           (c) The Texas Commission on Environmental Quality has filed  
2 its recommendations relating to this Act with the governor,  
3 lieutenant governor, and speaker of the house of representatives  
4 within the required time.

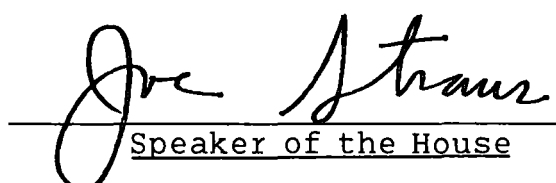
5           (d) The general law relating to consent by political  
6 subdivisions to the creation of districts with conservation,  
7 reclamation, and road powers and the inclusion of land in those  
8 districts has been complied with.

9           (e) All requirements of the constitution and laws of this  
10 state and the rules and procedures of the legislature with respect  
11 to the notice, introduction, and passage of this Act have been  
12 fulfilled and accomplished.

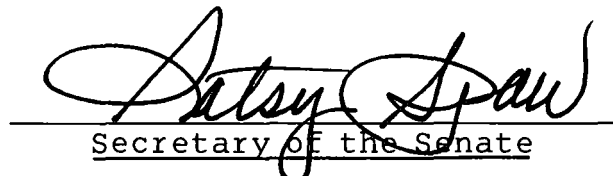
13           SECTION 7. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2017.

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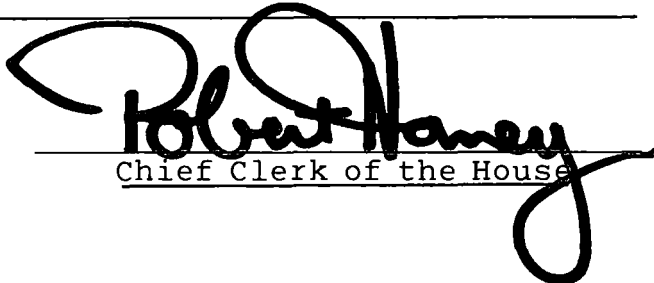
  
President of the Senate

  
Speaker of the House

I hereby certify that S.B. No. 1014 passed the Senate on April 25, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 27, 2017, by the following vote: Yeas 31, Nays 0.

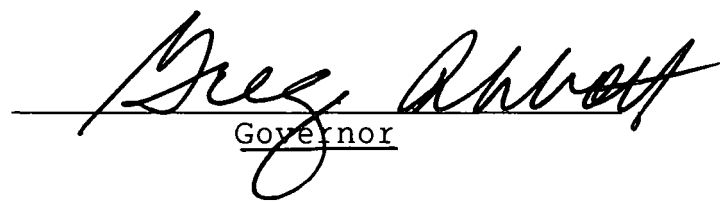
  
Secretary of the Senate

I hereby certify that S.B. No. 1014 passed the House, with amendment, on May 24, 2017, by the following vote: Yeas 146, Nays 0, two present not voting.


  
Chief Clerk of the House

Approved:

6-7-2017  
Date

  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:00 PM O'CLOCK

  
Secretary of State



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 12, 2017**

**TO:** Honorable Lyle Larson, Chair, House Committee on Natural Resources

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB1014** by Creighton (relating to The Woodlands Township.), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Special District Local Laws Code relating to the Woodlands Township. Various provisions of the bill amend this code to establish the process, procedures, and authorizations related to a potential incorporation of the township into a municipality.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. If this bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

**Local Government Impact**

According to The Woodlands Township, there is no immediate fiscal impact of the bill to the township. Any future financial impact would depend on when, and if, citizens of The Woodlands Township voluntarily proceed to incorporation, which would be subject to a vote.

According to the Comptroller of Public Accounts, the fiscal impact on units of local government cannot be estimated.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** UP, SZ, JGA, GG, GP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 5, 2017**

**TO:** Honorable Lyle Larson, Chair, House Committee on Natural Resources

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB1014 by Creighton (Relating to The Woodlands Township.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

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The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. If this bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

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**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** UP, SZ, JGA, GG, GP

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 12, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB1014 by Creighton (Relating to The Woodlands Township.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

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The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house. If this bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

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**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** UP, JGA, GG, GP

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 9, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB1014 by Creighton (Relating to The Woodlands Township.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code relating to the Woodlands Township. Various provisions of the bill amend this code to establish the process, procedures, and authorizations related to a potential incorporation of the township into a municipality.

The bill would take 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 bill does not receive the vote necessary for immediate effect, it would take effect September 1, 2017.

**Local Government Impact**

According to The Woodlands Township, there is no immediate fiscal impact of the bill to the township. Any future financial impact would depend on when, and if, citizens of The Woodlands Township voluntarily proceed to incorporation, which would be subject to a vote.

According to the Comptroller of Public Accounts, the fiscal impact on units of local government cannot be estimated.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** UP, JGA, GG, GP

**PUBLISHER'S AFFIDAVIT  
STATE OF TEXAS  
COUNTY OF MONTGOMERY**

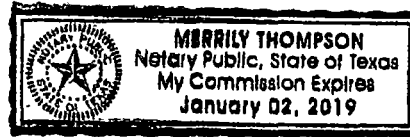
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MONTE WEST WHO BEING BY ME DULY SWORN, DEPOSES AND SAYS THAT HE IS AN AGENT TO THE PUBLISHER OF THE MONTGOMERY COUNTY NEWS, THAT SAID NEWSPAPER IS REGULARLY PUBLISHED IN MONTGOMERY COUNTY, TEXAS, AND GENERALLY CIRCULATED IN MONTGOMERY COUNTY, TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING DAYS:

1th DAY(S) OF January, 2017.

Case/Cause# LEGAL NOTICE OF INTENTION TO INTRODUCE LEGISLATION - THE WOODLANDS TOWNSHIP

Monte West  
PUBLISHER/PUBLISHER'S REPRESENTATIVE, MONTE WEST

NOTARY:



MY COMMISSION EXPIRES: 01-02-2019

AFFIX NOTARY SEAL ABOVE:

SWORN AND SUBSCRIBED TO ME ON THIS THE 1th DAY OF January, 2017, TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE.

Merrily Thompson  
NOTARY PUBLIC SIGNATURE IN AND FOR THE STATE OF TEXAS

MERRILY THOMPSON  
PRINTED OR TYPED NAME OF NOTARY PUBLIC

Information disclosed above regarding the application for a permit shall not be used to identify the facility or activity, explain how and why the member would be affected, and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number, and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for the application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/about/comments.html](http://www.tceq.texas.gov/about/comments.html), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from MHC TT, Inc. at the address stated above or by calling Mr. Randy Council, RSB Environmental, at 832-291-3473.

Issuance Date: January 5, 2017

Published Date: January 11, 2017

### NOTICE OF INTENTION TO INTRODUCE A BILL IN THE LEGISLATURE OF TEXAS

Notice is hereby given of the intention to introduce in the Regular Session of the 85<sup>th</sup> Legislature of Texas a bill relating to the powers and duties of The Woodlands Township. The general substance of the bill is as follows: AN ACT relating to the powers, elections, and boundaries of The Woodlands Township.

Published Date: January 11, 2017

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