

TABLE IIIA SPECIAL TABLES

Name of District	Vernon's Civ.St.Art.	Laws Citations
Post Oak Savannah Groundwater Conservation District		2001, ch. 966
Prairie View Municipal Utility District, validation	8194 note	2001, ch. 1307, art. 3
Presidio County Underground Water Conservation District	8280-550	1965, ch. 558
Prestonwood Public Utility District	8280-550	1993, ch. 453
Quail Creek Municipal Utility District		1971, ch. 663
Quail Valley Utility District	8280-445	1985, ch. 865
Rayburn Country Municipal Utility District		1969, ch. 397
Rayburn Improvement District	8280-321	1987, ch. 1086
Rayburn Municipal Utility District		1965, ch. 587
Rayford Road Municipal Utility District	8280-402	1979, ch. 376
Reagan County Water Supply District	8280-181	1981, ch. 36
		1969, ch. 145
		1955, ch. 505
		1979, ch. 222
★ Real-Edwards Conservation and Reclamation District		
Creation, powers	8280-233	1959, ch. 341
		1993, ch. 640
		2003, ch. 635
Boundaries		2011, ch. 201
		1989, ch. 694
		1989, ch. 663
Red River Authority of Texas	8280-228	1959, ch. 279
		1961, ch. 504
		1967, ch. 570
		1969, ch. 715
		1969, ch. 856
		1975, ch. 217
		1977, ch. 529
		1981, ch. 86
		1981, ch. 870
		1983, ch. 696
		1989, ch. 1248, § 83
Red River County Water District		1987, ch. 870
Red Sands Groundwater Conservation District		1999, ch. 1331, sec. 1(a)(9)
		2001, ch. 966
Refugio County Navigation District	8198 note	1967, ch. 132
Refugio County Water Control and Improvement District No.1	8280-153	1953, ch. 240
Refugio Groundwater Conservation District		1999, ch. 1331, sec. 1(a)(10)
		2001, ch. 966
		2001, ch. 1314
[repealed]		2011, ch. 70
		2011, ch. 70
Rhea Utility District	8280-458	1969, ch. 639
Ridgemont Municipal Utility District, validation	8194 note	1969, ch. 385
Riesel Municipal Utility District	8280-232	1959, ch. 338
Rio Grande Palms Water District	8280-254	1961, ch. 324
		1965, ch. 399
Rio Grande Regional Water Authority	8280-369	2003, ch. 385
		2007, ch. 522
Rio Grande Valley Municipal Water Authority	8280-455	1969, ch. 623
		1983, ch. 1082
Abolished		1997, ch. 891, art. 7
Rio Grande Valley Pollution Control Authority	8280-389	1967, ch. 648
Abolished		1997, ch. 891, art. 8
River Club Estates Municipal District	8280-369	1967, ch. 616
River Oaks Municipal Utility District	8280-372	1967, ch. 619
River Plantation Municipal Utility District of Montgomery County	8280-291	1963, ch. 304
Riviera Water Control and Improvement District		1985, ch. 586
Robards Utility District	8280-470	1969, ch. 803

**REAL-EDWARDS CONSERVATION AND RECLAMATION
DISTRICT****CHAPTER 341³¹****S. B. No. 447**

An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI of the Constitution of Texas, to be known as the "Real-Edwards Conservation and Reclamation District"; defining the powers of the District and providing for its management and operation; declaring the Act to be severable; and declaring an emergency.

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

Section 1. There is hereby created within the boundaries hereinbelow defined, in the counties of Edwards and Real, a conservation and reclamation district, to be known as the "Real-Edwards Conservation and Reclamation District" (hereinafter called the "District") to have and exercise the powers hereinafter granted, for the following purposes:

(a) The control, storing, preservation and distribution of storm and flood waters within the District, and the waters of the rivers and streams therein;

(b) The conservation, preservation, development and recharging of the underground waters and water-bearing formations within the District; and

(c) The conservation and development of the soil, and the reclamation and irrigation of lands within the District.

The District shall contain all the territory within the following boundaries:

BEGINNING at a point in the South line of Real County and the North line of Uvalde County, in the West line of Survey No. 920, G. C. & S. F. Railway Co.;

THENCE North with the West lines of said Survey No. 920 and Survey No. 912 to the intersection with the South line of Survey No. 74, T. W. N. G. Railway Co. Block 13;

THENCE East with the South line of Survey No. 74 and Surveys Nos. 75 and 76 to the Southeast corner of Survey No. 76 in said Block 13;

THENCE North with the East lines of Surveys Nos. 76, 69, 44, 38, 8 and 7, T. W. N. G. Railway Co. Block 13, continuing North with the East line of Survey No. 3, G. H. & S. A. Railway Co. Block F, continuing North with the East lines of Surveys Nos. 75, 64 and 56, T. W. N. G. Railway Co. Block 3, to the Northeast corner of said Survey No. 56 in said Block;

THENCE East with the South line of Survey No. 46, T. W. N. G. Railway Co. Block 3 to the Southeast corner of said Survey;

THENCE North with the East lines of Surveys Nos. 46 and 35, T. W. N. G. Railway Co. Block 3 to the Northeast corner of Survey No. 35;

THENCE East with the South line of Survey No. 27, T. W. N. G. Railway Co. Block 3 to the Southeast corner of that Survey;

THENCE North with the East lines of Surveys Nos. 27, 13 and 8, in T. W. N. G. Railway Co. Block 3, continuing North with the East lines of Surveys Nos. 1, 16, 17, 32 and 33, T. & N. O. Railway Co. Block O to the Northeast corner of said Survey No. 33;

THENCE East with the South line of Survey No. 7, T. & N. O. Railway Co. Block 7, to the Southeast corner of said Survey No. 7;

³¹, Vornon's Ann.Civ.St. art. 8280-233.

THENCE North with the East line of said Survey No. 7 to the Northeast corner of said Survey No. 7 and the Southeast corner of Survey No. 4, G. C. & S. F. Railway Co. Block 2;

THENCE East with the South line of Survey No. 5, G. C. & S. F. Railway Co. Block 2, to the Southeast corner of said Survey;

THENCE North with the East lines of Surveys Nos. 5 and 16, G. C. & S. F. Railway Co. Block 2, to the Northeast corner of said Survey No. 16 in the South line of Survey No. 6, G. C. & S. F. Railway Co. Block A-10;

THENCE West with the South line of said Survey No. 6 to the Southwest corner of Survey No. 6, being also the Southeast corner of Survey No. 5, G. C. & S. F. Railway Co. Block A-10;

THENCE North with the East line of Survey No. 5 to the Northeast corner of said Survey in the South line of Survey No. 7, G. W. T. & P. Railway Co., Certificate 1/16;

THENCE West with the South line of Survey No. 7 to the Southwest corner of said Survey No. 7;

THENCE North with the West line of said Survey No. 7 to the Northwest corner of said Survey and the Southwest corner of Survey No. 6, G. W. T. & P. Railway Co. Certificate 1/15;

THENCE North with the West line of Survey 6 to the Northwest corner of said Survey and the Southwest corner of Survey No. 20, City of San Antonio Certificate 13;

THENCE North with the West line of Survey No. 20 to the Northwest corner of said Survey No. 20 in the East line of Survey No. 19, City of San Antonio Certificate 13, said point being also the most Easterly Southwest corner of Survey No. 4, G. C. & S. F. Railway Co. Block O-10;

THENCE East with the South line of said Survey No. 4 and the North line of Survey No. 20 to the Southeast corner of Survey No. 4;

THENCE North with the East line of Survey No. 4 to the Northeast corner of said Survey in the South line of Survey No. 40, H. E. & W. T. Railway Co. Block D;

THENCE West with the South line of Survey No. 40 to the Southwest corner of said Survey;

THENCE North with the West line of Survey No. 40 and Survey No. 43, H. E. & W. T. Railway Co. Block D to a point in the North County line of Real County and the County line of Edwards County;

THENCE with and following the meanders of the boundary line dividing Real and Edwards counties West, Northeast, Northwest, Southwest and Northwest to a point in said Real-Edwards County line, same being the Northeast corner of Survey No. 62, Block 1, G. W. T. & P. Certificate 1/355;

THENCE North 85° West to the Northwest corner of Block 1, G. W. T. & P., the Northwest corner of Block 1 and an inner corner of Survey No. 3, Block 4, B. S. & F. Certificate 1/647;

THENCE with Block lines South 5° West 123 varas to the South line of Block 4, B. S. & F.;

THENCE with the South line of Block 4, B. S. & F. North 65° West to the Southwest corner of Survey No. 1, Block 4, the Southwest corner of Block 4 and the Southeast corner of Survey No. 34, Certificate 122, Block 2;

THENCE with the South line of Block 2, West to the Northwest corner of Survey No. 1, I. & G. N. Railway Co. Certificate 3851;

THENCE South to the Northeast corner of Survey No. 1½, S. M. Holdges Certificate 2018;

THENCE West to the Northwest corner of Survey No. 1½, Certificate 2018;

THENCE South passing the Northeast corner of Survey No. 1, Block 11, Certificate 4/851 to the Southeast corner of Survey No. 7, Block 11, G. C. & S. F. Railway Co. Certificate 4/854;

THENCE West to the Southwest corner of Survey No. 7, Block 11;

THENCE South to the Southeast corner of Survey No. 19, Block 11, Certificate 4/860;

THENCE West to a point in the East line of Survey No. 61, Block 10, G. H. & S. A. Railway Co. Certificate 1801;

THENCE with the East line of Block 10, South 30° West to the Southeast corner of Survey No. 62, Block 10, G. H. & S. A. Railway Co. Certificate 1801;

THENCE North 60° West to the Southwest corner of Survey No. 62, Block 10, G. H. & S. A. Railway Co., it being the Northeast corner of Survey No. 80, Block 10, Certificate 1810;

THENCE South 30° West to the Southeast corner of Survey No. 80, Certificate 1810, Block 10;

THENCE with the South line of Block 10 North 60° West to the North corner of Survey No. 125, Certificate 1271;

THENCE South passing the Northeast corner of Survey No. 4, Block 17, to the Southeast corner of Survey No. 8, Block 17, Certificate 1988;

THENCE West to a point in the East line of Survey 3, Block AB, T. W. N. G. Railway Co. Certificate 0/573;

THENCE South 70° West to a point in the East line of Survey No. 88, Block III, G. W. T. & P. Certificate 1/256;

THENCE South 20° East to the Southeast corner of Survey No. 88, Block III;

THENCE South 70° West to the Southwest corner of Survey No. 88, Block III;

THENCE South 20° East to the Southeast corner of Survey No. 15, Certificate 1318, C. C. S. D. & R. G. N. G. Railway Co.;

THENCE South 70° West to the Northeast corner of Survey 14, Certificate 1/90;

THENCE South 20° East to the Northeast corner of the South ½ of Survey No. 35, Block 1, Certificate 1/101;

THENCE South 70° West to the Northwest corner of the South ½ of Survey No. 34, Block 1, Certificate 1/100;

THENCE South 20° East to the Southwest corner of Survey No. 39, Block 1, G. W. T. & P. Railway Co. Certificate 1/103;

THENCE North 70° East to the Northeast corner of Survey No. 60, Block 1, G. W. T. & P. Certificate 1/113;

THENCE with the East line of Block 1 South 20° East to the Edwards-Kinney County line;

THENCE East with the Edwards-Kinney County line to the Northwest corner of Uvalde County in the South line of Edwards County;

THENCE East with the North line of Uvalde County and the South lines of Edwards and Real Counties to the place of beginning.

No error or discrepancy in the foregoing field notes shall adversely affect the validity of the District or the exercise of any power of the District granted herein, it being hereby found and determined that all of the territory and taxable property contained within such boundaries will be benefited by the works and improvements of the District.

Sec. 2. The District is hereby constituted and declared to be a governmental agency and a body politic and corporate vested with the full authority of the State of Texas to exercise the powers granted and to perform the functions stated in this Act. The District is created in pursuance of Section 59 of Article 16 of the Constitution of the State of Texas and the creation of the District, within the boundaries hereinabove

defined, is hereby found and determined to be essential to the accomplishment of the purposes of said provisions of the Constitution.

Sec. 3. The District shall have and exercise, and is hereby vested with the following powers:

(a) To control, store, preserve and distribute the storm and flood waters within the District, and the waters of the rivers and streams therein, for the irrigation of arid land, for the prevention of floods and flood damage to lands and property within the District, and for domestic, municipal and industrial uses, and to use, treat, distribute and sell such waters within or without the boundaries of the District, for any and all such uses;

(b) To conserve, preserve, protect, develop and increase, and prevent the waste and pollution of underground waters, and to recharge the underground water-bearing formations within the District;

(c) To irrigate and provide for the irrigation of arid lands within the District;

(d) To reclaim lands within the District heretofore damaged by the lack of facilities which this District is created to provide;

(e) To construct, establish and maintain terraces and other structures on lands within the District, and to engage in and promote land treatment measures for soil conservation and improvement;

(f) To construct, acquire, improve, maintain and repair dams, plants, works, canals, pipelines or other facilities for the impoundment, storage, treatment, transportation or distribution of waters which, in the judgment of the Directors, may be necessary or convenient to the exercise of any other power herein granted or to the discharge of any function or purpose for which the District is created;

(g) To drill, equip, operate and maintain input wells, pumps and other facilities and appliances in any manner necessary or convenient to the exercise of any other power herein granted;

(h) To acquire lands and easements by purchase, or by the exercise of the power of eminent domain, within the District which may be necessary or convenient to any work or structure which the District is authorized to acquire or to construct;

(i) To acquire by purchase, lease, gift, or in any other manner (otherwise than by condemnation) and to maintain, use and operate any and all property of any kind, real, personal, or mixed, or any interest therein, within or without the boundaries of the District, necessary or convenient to the exercise of the powers, rights, privileges, and functions conferred upon it by this Act;

(j) To acquire by condemnation any and all property of any kind, real, personal, or mixed, or any interest therein, within the boundaries of the District necessary or convenient to the exercise of the powers, rights, privileges, and functions conferred upon it by this Act, in the manner provided by General Law with respect to condemnation or, at the option of the District, in the manner provided by the Statutes relative to condemnation by Districts organized under General Law pursuant to Section 59 of Article 16 of the Constitution of the State of Texas;

(k) Subject to the provisions of this Act, from time to time sell or otherwise dispose of any property of any kind, real, personal, or mixed, or any interest therein, which shall not be necessary to the carrying on of the business of the District;

(l) To overflow and inundate any public lands and public property and to require the relocation of roads and highways in the manner and to the extent permitted to Districts organized under General Law pursuant to Section 59 of Article XVI of the Constitution of the State of Texas; provided, however, in the event that the District, in the exercise of

the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation of or altering the construction of any electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation or alteration of construction shall be accomplished at the sole expense of the District;

- (m) To sue and be sued in its corporate name;
- (n) To adopt, use, and alter a corporate seal;
- (o) To make bylaws for the management and regulation of its affairs;
- (p) To appoint officers, agents, and employees, to prescribe their duties, and to fix their compensation;
- (q) To make contracts and to execute instruments necessary or convenient to the exercise of the powers, rights, privileges, and functions conferred upon it by this Act, or by any other Act or law;
- (r) To have and exercise, in addition to the powers hereinabove conferred, any and all other powers, rights, privileges and functions conferred by General Law upon water control and improvement districts created pursuant to Section 59 of Article XVI of the Constitution of the State of Texas;
- (s) To do any and all other acts or things necessary or convenient to the exercise of the powers, rights, privileges, or functions conferred upon it by this Act or by any other Act or law.
- (t) To enter into contracts with and to participate in joint efforts and projects with water districts, conservation districts, cities and towns, counties and municipal and governmental agencies of every kind, both state and Federal, and with individuals and private corporations, which the District is authorized to undertake, and the Board of Directors of the District shall be empowered to use, dedicate and pledge taxes and revenues of the District and to use the proceeds from District bonds for said purposes whether the District or some other municipal or governmental agency or department is in charge of such work or development.
- (u) The ownership and rights of the owner of the land, his lessees and assigns, in underground water are hereby recognized, and nothing in this Act shall be construed as depriving or divesting such owner, his assigns or lessees, of such ownership or rights. This Act shall not be construed to be a grant of any rights of superior existing permits or water rights.

Sec. 4. The Board of Directors of the District shall be authorized to levy annually on all taxable property in the District an ad valorem tax for maintenance and current operation of the District in an amount not to exceed Twenty-five Cents (25¢) on the One Hundred Dollars (\$100.00) assessed valuation of such taxable property; provided that no such tax shall be levied unless it shall first have been authorized at an election held within the District on the question of the imposition of such tax, or such amount thereof as may be specified in the proposition voted on at such election, and at which election none but qualified property taxpaying voters of such District shall be permitted to vote. Such election may be called by the Board of Directors on its own motion, or upon petition of not less than twenty (20) of the qualified taxpaying voters of such District; the order for such election shall state the proposition to be voted on, and notice of said election shall be given in the manner prescribed for notice of elections on the proposition of issuance of bonds of such District which are payable from ad valorem taxes.

Sec. 5. The District shall have the power to receive and expend for flood control purposes, within the limits of any county within the District, such part of the proceeds of ad valorem taxes levied pursuant to Sec-

tion 1-a of Article VIII of the Constitution of Texas upon taxable properties within said county, as are levied upon and collected from such properties as are within the territorial limits of the District.

The Directors of said District upon receipt of a petition signed by twenty-five or more resident property taxpaying citizens of the District shall call an election to be held in said District to determine whether said taxes shall be levied, collected and remitted to said District by Edwards and Real Counties, respectively. If a majority of the votes cast in such election are in favor of such use of said funds, then, and until another such election should decide otherwise, said funds shall be collected for, remitted to and used by said District for flood control purposes.

Sec. 6. (a) For the purpose of carrying out any other power or authority conferred by this Act, the District is empowered to issue its negotiable bonds to be payable from revenues or taxes or both revenues and taxes of the District as are pledged by resolution of the Board of Directors. Pending the issuance of definitive bonds, the Board may authorize the delivery of negotiable interim bonds or notes, eligible for exchange or substitution by use of the definitive bonds.

(b) Such bonds shall be authorized by resolution of the Board of Directors and shall be issued in the name of the District, signed by the president or vice-president, attested by the secretary, and shall bear the seal of the District. It is provided, however, that the signatures of the president or of the secretary or of both may be printed or lithographed on the bonds if authorized by the Board of Directors, and that the seal of the District may be impressed on the bonds or may be printed or lithographed thereon. The bonds shall mature serially or otherwise in not to exceed forty (40) years and may be sold at a price and under the terms determined by the Board of Directors to be the most advantageous price reasonably obtainable, provided that no sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six percent (6%) per annum, and within the discretion of the Board, may be made callable prior to maturity at such times and prices as may be prescribed in the resolution authorizing the bonds, and may be made registrable as to principal or as to both principal and interest.

(c) Bonds may be issued in more than one (1) series and from time to time as required for carrying out the purpose of this Act.

(d) The bonds may be secured by a pledge of all or part of the net revenues of the District, or by the net revenues of any one or more contracts theretofore or thereafter made or other revenues or income specified by resolution of the Board of Directors or in the trust indenture or other instrument securing the bonds. Any such pledge may reserve the right, under conditions therein specified, to issue additional bonds which will be on a parity with or subordinate to the bonds then being issued. The term "net revenues" as used in this Section shall mean the gross revenues and income of the District from all sources after deduction of the amount necessary to pay the cost of maintaining and operating the District and its properties.

(e) The District is also empowered to issue bonds payable from ad valorem taxes to be levied on all taxable property therein, or to issue bonds secured by and payable from both such taxes and the revenues of the District. Where bonds are issued payable wholly or partially from ad valorem taxes, it shall be the duty of the Board of Directors to levy a tax sufficient to pay the bonds and the interest thereon as such bonds and interest become due, but the rate of the tax for any year may be fixed after giving consideration to the money received from the pledged revenues which may be available for payment of principal and interest to the

extent and in the manner permitted by the resolution authorizing the issuance of the bonds.

(f) Where bonds payable wholly from revenues are issued, it shall be the duty of the Board of Directors to fix, and from time to time to revise, the rates of compensation for water sold and services rendered by the District which will be sufficient to pay the expense of operating and maintaining the facilities of the District and to pay the bonds as they mature and the interest as it accrues and to maintain the reserve and other funds as provided in the resolution authorizing the bonds or the trust indenture, or other instrument securing the bonds. Where bonds payable partially from revenues are issued it shall be the duty of the Board to fix, and from time to time to revise, the rate of compensation for water sold and services rendered by the District which will be sufficient to assure compliance with the resolution authorizing the bonds or the trust indenture or other instrument securing the bonds.

(g) From the proceeds from the sale of the bonds, the District may set aside amounts for the payments into the interest and sinking fund and the reserve fund, and such provisions may be made in the resolution authorizing the bonds or the trust indenture or other instrument securing the bonds. Proceeds from the sale of the bonds may also be used for the payment of all expenses necessarily incurred in accomplishing the purpose for which this District is created, including expenses of issuing and selling the bonds. The proceeds from the sale of the bonds may be temporarily invested in direct obligations of the United States Government maturing in not more than one (1) year from the date of investment.

(h) In the event of a default or a threatened default in the payment of principal of or interest on bonds payable wholly or partially from revenues, any court of competent jurisdiction may, upon petition of the holders of outstanding bonds, appoint a receiver with authority to collect and receive all income of the District except taxes, employ and discharge agents and employees of the District, take charge of funds on hand (except funds received from taxes unless commingled) and manage the proprietary affairs of the District without consent or hindrance by the Directors. Such receiver may also be authorized to sell or make contracts for the sale of water or renew such contracts with the approval of the court appointing him. The court may vest the receiver with such other powers and duties as the court may find necessary for the protection of the holders of the bonds. The resolution authorizing the issuance of the bonds or the trust indenture or other instrument securing them may limit or qualify the rights of less than all of the outstanding bonds payable from the same source to institute or prosecute any litigation affecting the District's property or income.

Sec. 7. The District is authorized to issue refunding bonds for the purpose of refunding any outstanding bonds authorized by this Act and interest thereon. Such refunding bonds may be issued to refund more than one (1) series of outstanding bonds whether such outstanding bonds are tax bonds, revenue bonds or bonds secured by both taxes and revenues. The resolution authorizing the refunding bonds may combine the revenues pledged for the outstanding bonds for the security of the refunding bonds, and the refunding bonds may be secured by other or additional revenues and mortgage liens. The provisions of this law with reference to the issuance by the District of other bonds, their security, and their approval by the Attorney General and the remedies of the holders shall be applicable to refunding bonds. Refunding bonds shall be registered by the Comptroller upon surrender and cancellation of the bonds to be refunded, but in lieu thereof, the resolution authorizing their issuance may provide

that they shall be sold and the proceeds thereof deposited in the bank where the original bonds are payable, in which case the refunding bonds may be issued in an amount sufficient to pay the principal of and the interest on the original bonds to their option date or maturity date, and the Comptroller shall register them without concurrent surrender and cancellation of the original bonds.

Sec. 8. Any bonds (including refunding bonds) authorized by this law, not payable wholly from ad valorem taxes, may be additionally secured by a trust indenture or other instrument under which the trustee may be a bank having trust powers situated either within or outside of the State of Texas. Such bonds, within the discretion of the Board of Directors, may be additionally secured by a deed of trust or mortgage lien upon physical properties of the District and all franchises, easements, water rights and appropriation permits, leases and contracts and all rights appurtenant to such properties, vesting in the trustee power to sell the properties for the payment of the indebtedness, power to operate the properties and all other powers and authority for the further security of the bonds. Such trust indenture, regardless of the existence of the deed of trust or mortgage lien on the properties may contain any provisions prescribed by the Board of Directors for the security of the bonds and the preservation of the trust estate, and may make provisions for amendment or modification thereof and the issuance of bonds to replace lost or mutilated bonds, and may condition the right to expend District money or sell District property upon approval of a registered professional engineer selected as provided therein, and may make provision for the investment of funds of the District. Any purchaser under a sale under the deed of trust lien, where one is given, shall be the absolute owner of the properties, facilities and rights so purchased and shall have the right to maintain and operate the same.

Sec. 9. (a) No bonds payable wholly or partially from ad valorem taxes (except refunding bonds) shall be issued unless authorized by an election at which only the qualified voters who reside in the District and who own taxable property therein and who have duly rendered the same for taxation shall be allowed to vote, and unless a majority of the votes cast thereat are in favor of the issuance of the bonds. Bonds not payable wholly or partially from ad valorem taxes may be issued without an election.

(b) Such election may be called by the Board of Directors without a petition. The resolution calling the election shall specify the time and places of holding the same, the purpose for which the bonds are to be issued, the maximum amount thereof, the maximum maturity thereof, the form of the ballot, and the presiding judge for each voting place. The presiding judge serving at each voting place may appoint one (1) assistant judge and at least two (2) clerks to assist in holding such election. Notice of the election shall be given by publishing a substantial copy of the resolution calling the election in a newspaper of general circulation in the District on the same day of each of two (2) consecutive weeks. The first publication shall be at least fourteen (14) days prior to the date set for the election. If no newspaper is published in the District, notice shall be given by posting a copy of the resolution in three (3) public places.

(c) The returns of the election shall be made to and canvassed by the Board of Directors of the District.

(d) The General Laws relating to elections shall be applicable to elections held under this Section of this law except as otherwise provided in this law.

Sec. 10. After any bonds (including refunding bonds) are authorized by the District, such bonds and the record relating to their issuance

shall be submitted to the Attorney General for his examination as to the validity thereof. Where such bonds recite that they are secured by a pledge of the proceeds of a contract theretofore made between the District and any city or other governmental agency, authority or District, a copy of such contract and the proceedings of the city or other governmental agency, authority or District authorizing such contract shall also be submitted to the Attorney General. If such bonds have been authorized and if such contracts have been made in accordance with the Constitution and laws of the State of Texas, he shall approve the bonds and such contracts and the bonds then shall be registered by the Comptroller of Public Accounts. Thereafter the bonds, and the contracts, if any, shall be valid and binding and shall be incontestable for any cause.

Sec. 11. The government and control of the District shall be vested in a Board of Directors consisting of nine (9) members. Each of them, with the exception of the original Board of Directors hereinafter provided for, shall hold office for a term of two (2) years.

The original Board of Directors shall consist of Jesse Lockhart, of Barksdale, Texas; Neal Jernigan, Sr., of Barksdale, Texas; J. E. Greer, of Camp Wood, Texas; J. E. Robbins, of Camp Wood, Texas; and G. C. Hutcherson, of Camp Wood, Texas; whose terms of office shall expire on the first Saturday in September of 1960; and Lester Phillips, of Barksdale, Texas; Clarence Vernor, of Barksdale, Texas; J. B. Hutto, of Camp Wood, Texas; and L. M. Webb, of Camp Wood, Texas; whose terms of office shall expire on the first Saturday in September of 1961.

There shall be held in the District on the first Saturday of September in each year, beginning with the first Saturday in September of 1960, an election within the District for the selection of Directors to succeed those whose terms expire on said date. Such election shall be held in such voting boxes as are designated by the Board of Directors, and notice of such election shall be given by the Secretary of the Board of Directors by posting in three (3) public places within the District a copy of the order of the Board of Directors directing the time and places of holding the election. No person shall be selected a Director unless he be above the age of twenty-one (21) years and a resident within the territorial limits of the District.

Any vacancy occurring in the membership of the Board of Directors shall be filled by the remaining members of the Board for the unexpired term of such office.

Before entering upon the duties of his office, each member of the Board of Directors shall take the Constitutional oath of office.

Sec. 12. The Board shall elect or appoint annually from its own membership the following officers: a president, a vice-president, and a secretary. A quorum shall consist of not less than five (5) members. Regular and special meetings of the Board of Directors shall be held as provided by the bylaws and such notice given as required by the bylaws.

Sec. 13. The Board of Directors shall manage and control all of the affairs and business of said District, including the employment and supervision of all persons and agencies necessary and required to aid in accomplishing the purpose of this Act.

Sec. 14. (a) No dam or other structure for impounding water for storage shall be constructed by the District until the plans therefor have been approved by the State Board of Water Engineers.

(b) The District shall have authority to apply to the State Board of Water Engineers for a permit or permits allowing the District to appropriate and use for any authorized purpose the unappropriated storm and flood waters within the District, as provided in Chapter 1, Title 128, Revised Civil Statutes of Texas, as amended.

(c) The District is also authorized to acquire water appropriation permits from the owners thereof, and to lease or acquire rights in and to storage and storage capacity in any reservoir constructed or to be constructed by any person, firm, corporation or public agency, or from the United States Government or any of its agencies.

Sec. 15. The Board of Directors, by resolution adopted by two-thirds ($\frac{2}{3}$) of all directors, may fix the location of the general office and domicile of the District, and notice thereof shall immediately be given by publication of such resolution at least once in a newspaper of general circulation within the District.

Sec. 16. The Board of Directors shall designate one (1) or more banks within or without the District to serve as depository for the funds of the District. All funds of the District shall be deposited in such depository bank or banks except that funds pledged to pay bonds may be deposited with the trustee bank named in the trust indenture or other instrument, and except that funds shall be remitted to the bank or banks of payment for the payment of principal of and interest on bonds. To the extent that funds in the depository banks and the trustee bank are not insured by the F.D.I.C. they shall be secured in the manner provided by law for the security of county funds.

Sec. 17. Land may be added to the District and become a part thereof upon petition of the owner thereof in the following manner: the owner of the land shall file with the Board of Directors a petition praying that the lands described be added to and become a part of the established District. Said petition shall describe the land by metes and bounds and be signed and executed in the same manner provided by law for the conveyance of real estate. Such petition shall be heard and considered by the Directors and may be granted and said land added to the District if same is considered to be to the advantage of the District and if the water supply, canals, etc., are sufficient to supply the same without injury to the lands of the District. Any such petition which may be granted adding lands to a District shall be filed for record and be recorded in the office of the county clerk of the county in which such land is situated.

Sec. 18. The provisions of this Act shall not be construed in any way to repeal, amend, modify or supersede any of the provisions of Acts 1949, 51st Legislature, Regular Session, page 326, Chapter 159, and the rights and powers granted to the Lower Nueces River Water Supply District by such 1949 Act shall not be limited or impaired in any way by the provisions of this Act. In the event of any conflict between the provisions of this Act and the provisions of such 1949 Act, the provisions of such 1949 Act shall prevail.

Sec. 19. If any Section or provision of this Act shall for any reason be held unconstitutional or invalid, such holding shall not affect the remaining portions of this Act.

Sec. 20. The crowded condition of the calendar, and the need for the prompt beginning of the work authorized by this Act, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate, April 28, 1959: Yeas 31, Nays 0; May 6, 1959,

Senate concurred in House amendments: Yeas 30, Nays 0; passed the House, May 4, 1959, with amendments: Yeas 142, Nays 2.

Approved May 30, 1959.

Effective May 30, 1959.

ARTICLE 9. MISCELLANEOUS

SECTION 9.01. LIMITATION ON STATE ASSISTANCE. The state may not become obligated for the support or maintenance of a hospital district created under this Act, nor may the legislature make a direct appropriation for the construction, maintenance, or improvement of a facility of the district.

SECTION 9.02. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 12, 1989, by the following vote: Yeas 137, Nays 0; passed by the Senate on May 26, 1989, by the following vote: Yeas 31, Nays 0.

Approved June 14, 1989.

Effective June 14, 1989.

CHAPTER 594

H.B. No. 3127

AN ACT

relating to the boundaries of the Real-Edwards Conservation and Reclamation District.

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

SECTION 1. Section 1, Chapter 341, Acts of the 56th Legislature, Regular Session, 1959, is amended to read as follows:

Sec. 1. (a) There is hereby created within the boundaries provided by Subsection (b) of this section [hereinbelow defined], in the counties of Edwards and Real, a conservation and reclamation district, to be known as the "Real-Edwards Conservation and Reclamation District" (hereinafter called the "District") to have and exercise the powers herein-after granted, for the following purposes:

- (1) [(a)] The control, storing, preservation and distribution of storm and flood waters within the District, and the waters of the rivers and streams therein;
- (2) [(b)] The conservation, preservation, development and recharging of the underground waters and water-bearing formations within the District; and
- (3) [(c)] The conservation and development of the soil, and the reclamation and irrigation of lands within the District.

(b) *The boundaries of the district are coterminous with the boundaries of the counties of Edwards and Real.* ~~[The District shall contain all the territory within the following boundaries:~~

~~[BEGINNING at a point in the South line of Real County and the North line of Uvalde County, in the West line of Survey No. 920, G. C. & S. F. Railway Co.;~~

~~[THENCE North with the West lines of said Survey No. 920 and Survey No. 912 to the intersection with the South line of Survey No. 74, T. W. N. G. Railway Co. Block 13;~~

~~[THENCE East with the South line of Survey No. 74 and Surveys Nos. 75 and 76 to the Southeast corner of Survey No. 76 in said Block 13;~~

~~[THENCE North with the East lines of Surveys Nos. 76, 69, 44, 38, 8 and 7, T. W. N. G. Railway Co. Block 13, continuing North with the East line of Survey No. 3, G. H. & S. A. Railway Co. Block F, continuing North with the East lines of Surveys Nos. 75, 64 and 56, T. W. N. G. Railway Co. Block 3, to the Northeast corner of said Survey No. 56 in said Block;~~

~~[THENCE East with the South line of Survey No. 46, T. W. N. G. Railway Co. Block 3 to the Southeast corner of said Survey;~~

[THENCE North with the East lines of Surveys Nos. 46 and 35, T. W. N. G. Railway Co. Block 3 to the Northeast corner of Survey No. 35;

[THENCE East with the South line of Survey No. 27, T. W. N. G. Railway Co. Block 3 to the Southeast corner of that Survey;

[THENCE North with the East lines of Surveys Nos. 27, 13 and 8, in T. W. N. G. Railway Co. Block 3, continuing North with the East lines of Surveys Nos. 1, 16, 17, 32 and 33, T. & N. O. Railway Co. Block O to the Northeast corner of said Survey No. 33;

[THENCE East with the South line of Survey No. 7, T. & N. O. Railway Co. Block 7, to the Southeast corner of said Survey No. 7;

[THENCE North with the East line of said Survey No. 7 to the Northeast corner of said Survey No. 7 and the Southeast corner of Survey No. 4, G. C. & S. F. Railway Co. Block 2;

[THENCE East with the South line of Survey No. 5, G. C. & S. F. Railway Co. Block 2, to the Southeast corner of said Survey;

[THENCE North with the East lines of Surveys Nos. 5 and 16, G. C. & S. F. Railway Co. Block 2, to the Northeast corner of said Survey No. 16 in the South line of Survey No. 6, G. C. & S. F. Railway Co. Block A-10;

[THENCE West with the South line of said Survey No. 6 to the Southwest corner of Survey No. 6, being also the Southeast corner of Survey No. 5, G. C. & S. F. Railway Co. Block A-10;

[THENCE North with the East line of Survey No. 5 to the Northeast corner of said Survey in the South line of Survey No. 7, G. W. T. & P. Railway Co. Certificate 1/4;

[THENCE West with the South line of Survey No. 7 to the Southwest corner of said Survey No. 7;

[THENCE North with the West line of said Survey No. 7 to the North west corner of said Survey and the Southwest corner of Survey No. 6, G. W. T. & P. Railway Co. Certificate 1/4;

[THENCE North with the West line of Survey 6 to the Northwest corner of said Survey and the Southwest corner of Survey No. 20, City of San Antonio Certificate 13;

[THENCE North with the West line of Survey No. 20 to the Northwest corner of said Survey No. 20 in the East line of Survey No. 19, City of San Antonio Certificate 13, said point being also the most Easterly Southwest corner of Survey No. 4, G. C. & S. F. Railway Co. Block O-10;

[THENCE East with the South line of said Survey No. 4 and the North line of Survey No. 20 to the Southeast corner of Survey No. 4;

[THENCE North with the East line of Survey No. 4 to the Northeast corner of said Survey in the South line of Survey No. 40, H. E. & W. T. Railway Co. Block D;

[THENCE West with the South line of Survey No. 40 to the Southwest corner of said Survey;

[THENCE North with the West line of Survey No. 40 and Survey No. 43, H. E. & W. T. Railway Co. Block D to a point in the North County line of Real County and the County line of Edwards County;

[THENCE with and following the meanders of the boundary line dividing Real and Edwards counties West, Northeast, Northwest, Southwest and Northwest to a point in said Real-Edwards County line, same being the Northeast corner of Survey No. 62, Block 1, G. W. T. & P. Certificate 1/4;

[THENCE North 85 West to the Northwest corner of Block 1, G. W. T. & P., the Northwest corner of Block 1 and an inner corner of Survey No. 3, Block 4, B. S. & F. Certificate 1/4;

[THENCE with Block lines South 5° West 123 varas to the South line of Block 4, B. S. & F.;

~~[THENCE with the South line of Block 4, B. S. & F. North 65° West to the Southwest corner of Survey No. 1, Block 4, the Southwest corner of Block 4 and the Southeast corner of Survey No. 34, Certificate 122, Block 2;~~

~~[THENCE with the South line of Block 2, West to the Northwest corner of Survey No. 1, I. & G. N. Railway Co. Certificate 3851;~~

~~[THENCE South to the Northeast corner of Survey No. 1 $\frac{1}{4}$, S. M. Holdges Certificate 2018;~~

~~[THENCE West to the Northwest corner of Survey No. 1 $\frac{1}{4}$, Certificate 2018;~~

~~[THENCE South passing the Northeast corner of Survey No. 1, Block 11, Certificate $\frac{1}{100}$ to the Southeast corner of Survey No. 7, Block 11, G. C. & S. F. Railway Co. Certificate $\frac{1}{100}$;~~

~~[THENCE West to the Southwest corner of Survey No. 7, Block 11;~~

~~[THENCE South to the Southeast corner of Survey No. 19, Block 11, Certificate $\frac{1}{100}$;~~

~~[THENCE West to a point in the East line of Survey No. 61, Block 10, G. H. & S. A. Railway Co. Certificate 1801;~~

~~[THENCE with the East line of Block 10, South 30° West to the Southeast corner of Survey No. 62, Block 10, G. H. & S. A. Railway Co. Certificate 1801;~~

~~[THENCE North 60° West to the Southwest corner of Survey No. 62, Block 10, G. H. & S. A. Railway Co., it being the Northeast corner of Survey No. 80, Block 10, Certificate 1810;~~

~~[THENCE South 30° West to the Southeast corner of Survey No. 80, Certificate 1810, Block 10;~~

~~[THENCE with the South line of Block 10 North 60° West to the North corner of Survey No. 125, Certificate 1271;~~

~~[THENCE South passing the Northeast corner of Survey No. 4, Block 17, to the Southeast corner of Survey No. 8, Block 17, Certificate 1988;~~

~~[THENCE West to a point in the East line of Survey 3, Block AB, T. W. N. G. Railway Co. Certificate $\frac{1}{100}$;~~

~~[THENCE South 70° West to a point in the East line of Survey No. 88, Block III, G. W. T. & P. Certificate $\frac{1}{100}$;~~

~~[THENCE South 20° East to the Southeast corner of Survey No. 88, Block III;~~

~~[THENCE South 70° West to the Southwest corner of Survey No. 88, Block III;~~

~~[THENCE South 20° East to the Southeast corner of Survey No. 15, Certificate 1918, C. S. D. & R. G. N. G. Railway Co.;~~

~~[THENCE South 70° West to the Northeast corner of Survey 14, Certificate $\frac{1}{100}$;~~

~~[THENCE South 20° East to the Northeast corner of the South $\frac{1}{4}$ of Survey No. 35, Block 1, Certificate $\frac{1}{100}$;~~

~~[THENCE South 70° West to the Northwest corner of the South $\frac{1}{4}$ of Survey No. 34, Block 1, Certificate $\frac{1}{100}$;~~

~~[THENCE South 20° East to the Southwest corner of Survey No. 39, Block 1, G. W. T. & P. Railway Co. Certificate $\frac{1}{100}$;~~

~~[THENCE North 70° East to the Northeast corner of Survey No. 60, Block 1, G. W. T. & P. Certificate $\frac{1}{100}$;~~

~~[THENCE with the East line of Block 1 South 20° East to the Edwards-Kinney County line;~~

~~[THENCE East with the Edwards-Kinney County line to the Northwest corner of Uvalde County in the South line of Edwards County;~~

~~[THENCE East with the North line of Uvalde County and the South lines of Edwards and Real Counties to the place of beginning.~~

~~[No error or discrepancy in the foregoing field notes shall adversely affect the validity of the District or the exercise of any power of the District granted herein, it being hereby found and determined]~~

(c) *The legislature finds* that all of the territory and taxable property contained within the ~~[such]~~ boundaries of the district provided by Subsection (b) of this section will be benefited by the works and improvements of the District.

SECTION 2. This Act takes effect September 1, 1989.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 12, 1989, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 3127 on May 25, 1989, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 3127 on May 28, 1989, by a non-record vote; passed by the Senate, with amendments, on May 23, 1989, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 3127 on May 29, 1989, by a viva-voce vote.

Approved June 14, 1989.

Effective Sept. 1, 1989.

CHAPTER 595

H.B. No. 3143

AN ACT

relating to the composition and compensation of the members of the Potter County Juvenile Board.

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

SECTION 1. (a) The Potter County Juvenile Board is composed of the county judge, the district and family district judges in Potter County, and the judge of each county court at law.

(b) The juvenile board members receive additional compensation as prescribed by Article 5139.2, Revised Statutes.

SECTION 2. Section 152.1941, Human Resources Code, is amended to read as follows:

Sec. 152.1941. POTTER COUNTY. (a) The juvenile board of Potter County is composed of the county judge, ~~[and]~~ the district *and family district* judges in Potter County, *and the judge of each county court at law.*

(b) The juvenile board shall hold meetings at least once every three months in accordance with board rules.

(c) *The juvenile board members receive additional compensation as prescribed by Section 152.0053.*

(d) The board shall keep records as required by law and board rules.

(e) ~~[(d)]~~ A juvenile probation officer shall take the oath of office when appointed and the oath and the fact of the appointment shall be filed with the county clerk.

(f) ~~[(e)]~~ The commissioners court shall provide the necessary funds to pay the salaries and expenses of the juvenile probation personnel.

(g) ~~[(f)]~~ Sections 152.0002, 152.0003, 152.0004, 152.0005, 152.0006, 152.0007, and 152.0008(a) do not apply to the juvenile board of Potter County.

CHAPTER 663

S.B. No. 1690

AN ACT relating to the boundaries of the Real-Edwards Conservation and Reclamation District.

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

SECTION 1. Section 1, Chapter 341, Acts of the 56th Legislature, Regular Session, 1959, is amended to read as follows:

Sec. 1. (a) There is hereby created within the boundaries provided by Subsection (b) of this section hereinbelow defined, in the counties of Edwards and Real, a conservation and reclamation district, to be known as the "Real-Edwards Conservation and Reclamation District" (hereinafter called the "District") to have and exercise the powers hereinafter granted, for the following purposes:

(1) (a) The control, storing, preservation and distribution of storm and flood waters within the District, and the waters of the rivers and streams therein;

(2) (b) The conservation, preservation, development and recharging of the underground waters and water-bearing formations within the District; and

(3) (c) The conservation and development of the soil, and the reclamation and irrigation of lands within the District.

(b) The boundaries of the district are coterminous with the boundaries of the counties of Edwards and Real.

(c) The legislature finds ~~[The District shall contain all the territory within the following boundaries:~~

~~[BEGINNING at a point in the South line of Real County and the North line of Uvalde County, in the West line of Survey No. 920, G. C. & S. F. Railway Co.;~~

~~[THENCE North with the West lines of said Survey No. 920 and Survey No. 912 to the intersection with the South line of Survey No. 74, T. W. N. G. Railway Co. Block 13;~~

~~[THENCE East with the South line of Survey No. 74 and Surveys Nos. 75 and 76 to the Southeast corner of Survey No. 76 in said Block 13;~~

~~[THENCE North with the East lines of Surveys Nos. 76, 69, 44, 38, 8 and 7, T. W. N. G. Railway Co. Block 13, continuing North with the East line of Survey No. 3, G. H. & S. A. Railway Co. Block F, continuing North with the East lines of Surveys Nos. 75, 64 and 56, T. W. N. G. Railway Co. Block 3, to the Northeast corner of said Survey No. 56 in said Block;~~

~~[THENCE East with the South line of Survey No. 46, T. W. N. G. Railway Co. Block 3 to the Southeast corner of said Survey;~~

~~[THENCE North with the East lines of Surveys Nos. 46 and 35, T. W. N. G. Railway Co. Block 3 to the Northeast corner of Survey No. 35;~~

~~[THENCE East with the South line of Survey No. 27, T. W. N. G. Railway Co. Block 3 to the Southeast corner of that Survey;~~

~~[THENCE North with the East lines of Surveys Nos. 27, 13 and 8, in T. W. N. G. Railway Co. Block 3, continuing North with the East lines of Surveys Nos. 1, 16, 17, 32 and 33, T. & N. O. Railway Co. Block O to the Northeast corner of said Survey No. 33;~~

~~[THENCE East with the South line of Survey No. 7, T. & N. O. Railway Co. Block 7, to the Southeast corner of said Survey No. 7;~~

~~[THENCE North with the East line of said Survey No. 7 to the Northeast corner of said Survey No. 7 and the Southeast corner of Survey No. 4, G. C. & S. F. Railway Co. Block 2;~~

~~[THENCE East with the South line of Survey No. 5, G. C. & S. F. Railway Co. Block 2, to the Southeast corner of said Survey;~~

~~[THENCE North with the East lines of Surveys Nos. 5 and 16, G. C. & S. F. Railway Co. Block 2, to the Northeast corner of said Survey No. 16 in the South line of Survey No. 6, G. C. & S. F. Railway Co. Block A-10;~~

~~[THENCE West with the South line of said Survey No. 6 to the Southwest corner of Survey No. 6, being also the Southeast corner of Survey No. 5, G. C. & S. F. Railway Co. Block A-10;~~

~~[THENCE North with the East line of Survey No. 5 to the Northeast corner of said Survey in the South line of Survey No. 7, G. W. T. & P. Railway Co., Certificate 1/4;~~

~~[THENCE West with the South line of Survey No. 7 to the Southwest corner of said Survey No. 7;~~

~~[THENCE North with the West line of said Survey No. 7 to the Northwest corner of said Survey and the Southwest corner of Survey No. 6, G. W. T. & P. Railway Co., Certificate 1/4;~~

~~[THENCE North with the West line of Survey 6 to the Northwest corner of said Survey and the Southwest corner of Survey No. 20, City of San Antonio Certificate 13;~~

~~[THENCE North with the West line of Survey No. 20 to the Northwest corner of said Survey No. 20 in the East line of Survey No. 19, City of San Antonio Certificate 13, said point being also the most Easterly Southwest corner of Survey No. 4, G. C. & S. F. Railway Co. Block O-10;~~

~~[THENCE East with the South line of said Survey No. 4 and the North line of Survey No. 20 to the Southeast corner of Survey No. 4;~~

~~[THENCE North with the East line of Survey No. 4 to the Northeast corner of said Survey in the South line of Survey No. 40, H. E. & W. T. Railway Co. Block D;~~

~~[THENCE West with the South line of Survey No. 40 to the Southwest corner of said Survey;~~

~~[THENCE North with the West line of Survey No. 40 and Survey No. 43, H. E. & W. T. Railway Co. Block D to a point in the North County line of Real County and the County line of Edwards County;~~

~~[THENCE with and following the meanders of the boundary line dividing Real and Edwards counties West, Northeast, Northwest, Southwest and Northwest to a point in said Real-Edwards County line, same being the Northeast corner of Survey No. 62, Block 1, G. W. T. & P. Certificate 1/4;~~

~~[THENCE North 85° West to the Northwest corner of Block 1, G. W. T. & P., the Northwest corner of Block 1 and an inner corner of Survey No. 3, Block 4, B. S. & F. Certificate 1/4;~~

~~[THENCE with Block lines South 5° West 123 varas to the South line of Block 4, B. S. & F.;~~

~~[THENCE with the South line of Block 4, B. S. & F. North 65° West to the Southwest corner of Survey No. 1, Block 4, the Southwest corner of Block 4 and the Southeast corner of Survey No. 34, Certificate 122, Block 2;~~

~~[THENCE with the South line of Block 2, West to the Northwest corner of Survey No. 1, I. & G. N. Railway Co. Certificate 3851;~~

~~[THENCE South to the Northeast corner of Survey No. 1 1/4, S. M. Holdges Certificate 2018;~~

~~[THENCE West to the Northwest corner of Survey No. 1 1/4, Certificate 2018;~~

~~[THENCE South passing the Northeast corner of Survey No. 1, Block 11, Certificate 1/4 to the Southeast corner of Survey No. 7, Block 11, G. C. & S. F. Railway Co., Certificate 1/4;~~

~~[THENCE West to the Southwest corner of Survey No. 7, Block 11;~~

~~[THENCE South to the Southeast corner of Survey No. 19, Block 11, Certificate 1/4;~~

~~[THENCE West to a point in the East line of Survey No. 61, Block 10, G. H. & S. A. Railway Co. Certificate 1801;~~

~~[THENCE with the East line of Block 10, South 30° West to the Southeast corner of Survey No. 62, Block 10, G. H. & S. A. Railway Co. Certificate 1801;~~

~~[THENCE North 60° West to the Southwest corner of Survey No. 62, Block 10, G. H. & S. A. Railway Co., it being the Northeast corner of Survey No. 80, Block 10, Certificate 1810;~~

~~[THENCE South 30° West to the Southeast corner of Survey No. 80, Certificate 1810, Block 10;~~

~~[THENCE with the South line of Block 10 North 60° West to the North corner of Survey No. 125, Certificate 1271;~~

~~[THENCE South passing the Northeast corner of Survey No. 4, Block 17, to the Southeast corner of Survey No. 8, Block 17, Certificate 1988;~~

~~[THENCE West to a point in the East line of Survey 3, Block AB, T. W. N. G. Railway Co. Certificate 2/100;~~

~~[THENCE South 70° West to a point in the East line of Survey No. 88, Block III, G. W. T. & P. Certificate 1/100;~~

~~[THENCE South 20° East to the Southeast corner of Survey No. 88, Block III;~~

~~[THENCE South 70° West to the Southwest corner of Survey No. 88, Block III;~~

~~[THENCE South 20° East to the Southeast corner of Survey No. 15, Certificate 1818, C. S. D. & R. G. N. G. Railway Co.;~~

~~[THENCE South 70° West to the Northeast corner of Survey 14, Certificate 1/100;~~

~~[THENCE South 20° East to the Northeast corner of the South 1/4 of Survey No. 35, Block 1, Certificate 1/100;~~

~~[THENCE South 70° West to the Northwest corner of the South 1/4 of Survey No. 34, Block 1, Certificate 1/100;~~

~~[THENCE South 20° East to the Southwest corner of Survey No. 39, Block 1, G. W. T. & P. Railway Co. Certificate 1/100;~~

~~[THENCE North 70° East to the Northeast corner of Survey No. 60, Block 1, G. W. T. & P. Certificate 1/100;~~

~~[THENCE with the East line of Block 1 South 20° East to the Edwards-Kinney County line;~~

~~[THENCE East with the Edwards-Kinney County line to the Northwest corner of Uvalde County in the South line of Edwards County;~~

~~[THENCE East with the North line of Uvalde County and the South lines of Edwards and Real Counties to the place of beginning.~~

~~[No error or discrepancy in the foregoing field notes shall adversely affect the validity of the District or the exercise of any power of the District granted herein, it being hereby found and determined] that all of the territory and taxable property contained within the [such] boundaries of the district provided by Subsection (b) of this section will be benefited by the works and improvements of the District.~~

SECTION 2. This Act takes effect September 1, 1989.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on May 4, 1989, by the following vote: Yeas 31, Nays 0; passed the House on May 27, 1989, by a non-record vote.

Approved June 14, 1989.

Effective Sept. 1, 1989.

- ~~[(1) the Gulf Coast area;~~
- ~~[(2) the Trans-Pecos area;~~
- ~~[(3) the central Texas area;~~
- ~~[(4) the northeast Texas area; and~~
- ~~[(5) the Panhandle-South Plains area.]~~

~~(1) no more than three members may be appointed from a single metropolitan area;~~

~~(2) three [(d) Three] members [of the committee] must be persons with experience in the operation [installation] of underground storage tanks; [and who must obtain an installer's license from the commission within two years of the effective date of this Act.]~~

~~(3) one member [(e) Two members] must be a professional engineer [engineers] registered to practice in this state;[,]~~

~~(4) one [(d) One] member must be a person who is not eligible for a license under this Act but who has demonstrated experience in environmental protection, fire protection, or the operation and maintenance of underground storage tanks;[,]~~

~~(5) three [(g) Three] members must be persons who own construction firms engaged in installation of underground petroleum storage tanks [engineering-construction] in the State of Texas; and~~

~~(6) one member must be a representative of the financial industry with experience in underground storage tank corrective action.~~

~~(d) [(h)] The governor annually shall designate one member to serve as chairman. The committee, at a minimum, shall meet quarterly, at the call of the chairman, or at the call of the chairman of the commission.~~

~~(e) [(i)] The committee shall provide technical expertise to the commission regarding petroleum [underground] storage tanks and shall advise the commission in the adoption of rules pertaining to the commission's petroleum storage tank program (31 TAC Chapter 334) and for the licensing and regulation of installers and corrective action specialists.~~

~~[(j)] A committee member is entitled to receive the compensatory per diem authorized by the General Appropriations Act for each day spent in performing the member's official duties, and to reimbursement for expenses incurred in performing those duties to the extent permitted by the General Appropriations Act.]~~

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 30, 1993, by a non-record vote; passed by the Senate on May 24, 1993: Yeas 31, Nays 0.

Approved June 12, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.

CHAPTER 640

H.B. No. 2492

AN ACT

relating to election of directors and validation of acts of the governing board of the Real-Edwards Conservation and Reclamation District.

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

SECTION 1. Section 11, Chapter 341, Acts of the 56th Legislature, Regular Session, 1959 (Article 8280-233, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 11. (a) The government and control of the District shall be vested in a Board of Directors consisting of nine (9) members. *Directors serve staggered four-year terms.* ~~[Each of them, with the exception of the original Board of Directors hereinafter provided for, shall hold office for a term of two (2) years.]~~

~~[The original Board of Directors shall consist of Jesse Lookhart, of Barksdale, Texas; Neal Jernigan, Sr., of Barksdale, Texas; J. E. Greer, of Camp Wood, Texas; J. E. Robbins, of Camp Wood, Texas; and G. C. Hutcherson, of Camp Wood, Texas; whose terms of office shall expire on the first Saturday in September of 1960; and Lester Phillips, of Barksdale, Texas; Clarence Verner, of Barksdale, Texas; J. B. Hutte, of Camp Wood, Texas; and L. M. Webb, of Camp Wood, Texas; whose terms of office shall expire on the first Saturday in September of 1961.]~~

(b) There shall be held in the District on the first Saturday of *May* ~~(September)~~ in each *even-numbered year* ~~[beginning with the first Saturday in September of 1960,]~~ an election within the District for the selection of Directors to succeed those whose terms expire on said date. Such election shall be held in such voting boxes as are designated by the Board of Directors, and notice of such election shall be given by the Secretary of the Board of Directors by posting in three (3) public places within the District a copy of the order of the Board of Directors directing the time and places of holding the election. No person shall be selected a Director unless he be above the age of twenty-one (21) years and a resident within the territorial limits of the District.

(c) Any vacancy occurring in the membership of the Board of Directors shall be filled by the remaining members of the Board for the unexpired term of such office.

(d) Before entering upon the duties of his office, each member of the Board of Directors shall take the Constitutional oath of office.

SECTION 2. (a) Each resolution, instrument, order, and act or attempted act of the board of directors of the Real-Edwards Conservation and Reclamation District that occurred or was adopted or executed before the date on which this Act takes effect, and any proceeding of the district that took place before the date on which this Act takes effect, is validated in all respects as if it had originally been duly and legally authorized. For the purposes of this Act, "act or attempted act" includes calling and holding elections, canvassing returns, voting for and collecting taxes, issuing notes, bonds, and refunding bonds, and pledging revenue. For the purposes of this Act, "instrument" includes contracts, notes, bonds, and refunding bonds.

(b) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court of competent jurisdiction; or

(2) has been held invalid by a final judgment of a court of competent jurisdiction.

SECTION 3. (a) The election of the board of directors scheduled before the effective date of this Act to be held in May 1994 shall be held, and the directors elected at that election shall serve two-year terms.

(b) The election of the board of directors scheduled before the effective date of this Act to be held in May 1995 shall be held, and the directors elected at that election shall serve until the directors elected in May 1998 take office.

(c) The directors elected at the elections to be held in May 1996 and May 1998 shall serve four-year terms.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 30, 1993, by a non-record vote; passed by the Senate on May 24, 1993: Yeas 31, Nays 0.

Approved June 12, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.

CHAPTER 634

H.B. No. 2072

AN ACT

relating to payment by district employees for missing textbooks or instructional technology in public schools.

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

SECTION 1. Section 31.104, Education Code, is amended by adding Subsection (e) to read as follows:

(e) *The board of trustees of a school district may not require an employee of the district to pay for a textbook or instructional technology that is stolen, misplaced, or not returned by a student.*

SECTION 2. Section 31.104(e), Education Code, as added by this Act, applies beginning with the 2003–2004 school year.

SECTION 3. 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, 2003.

Passed by the House on April 25, 2003: Yeas 146, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 2072 on May 30, 2003: Yeas 142, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 28, 2003: Yeas 31, Nays 0.

Approved June 20, 2003.

Effective June 20, 2003.

CHAPTER 635

H.B. No. 2074

AN ACT

relating to the election of directors and validation of acts of the governing board of the Real-Edwards Conservation and Reclamation District.

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

SECTION 1. Section 11(b), Chapter 341, Acts of the 56th Legislature, Regular Session, 1959, is amended to read as follows:

(b) There shall be held in the District on the *first Tuesday after the first Monday in November* [~~Saturday of May~~] in each even-numbered year an election within the District for the selection of Directors to succeed those whose terms expire on said date. Such election shall be held in such voting boxes as are designated by the Board of Directors, and notice of such election shall be given by the Secretary of the Board of Directors by posting in three (3) public places within the District a copy of the order of the Board of Directors directing the time and places of holding the election. No person shall be selected a Director unless he be above the age of twenty-one (21) years and a resident within the territorial limits of the District.

SECTION 2. (a) The following actions of the Real-Edwards Conservation and Reclamation District are validated and confirmed as if the actions had been done as authorized by law:

(1) all acts and governmental proceedings of the district taken before the effective date of this Act; and

(2) the election or appointment of directors or other officials of the district who took office before the effective date of this Act.

(b) This Act does not apply to:

- (1) an act or proceeding that was void at the time it occurred;
- (2) an act or proceeding that, under a statute of this state or the United States, was a misdemeanor or felony at the time the act or proceeding occurred;
- (3) a rule that, at the time it was passed, was preempted by a statute of this state or the United States; or
- (4) a matter that on the effective date of this Act:
 - (A) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court; or
 - (B) has been held invalid by a final judgment of a court.

SECTION 3. (a) A member of the board of directors of the Real-Edwards Conservation and Reclamation District serving on the effective date of this Act shall continue in office until the member's successor, elected at the election held November 2, 2004, qualifies for office.

(b) At the election held November 2, 2004, nine directors shall be elected to the board. The nine directors elected shall draw lots to determine which four directors serve two-year terms and which five directors serve four-year terms beginning January 1 following the election.

(c) Directors elected at the election held November 7, 2006, and in successive even-numbered years as provided by Section 11, Chapter 341, Acts of the 56th Legislature, Regular Session, 1959, as amended by this Act, serve four-year terms beginning January 1 following the election.

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, 2003.

Passed by the House on May 2, 2003: Yeas 126, Nays 0, 2 present, not voting; passed by the Senate on May 20, 2003: Yeas 31, Nays 0.

Approved June 20, 2003.

Effective June 20, 2003.

CHAPTER 636

H.B. No. 2075

AN ACT

relating to regulating health and safety conditions at youth camps.

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

SECTION 1. Section 141.007, Health and Safety Code, is amended by adding Subsections (d), (e), (f), and (g) to read as follows:

(d) *An employee or agent of the department who enters a youth camp to investigate and inspect conditions shall:*

(1) *notify the person in charge of the camp or the person's designee of any violations as they are discovered; and*

(2) *allow the camp to correct the violations while the investigation and inspection is occurring.*

(e) *The department may not extend or delay an investigation or inspection to allow the youth camp to correct a violation under Subsection (d)(2).*

(f) *An employee or agent of the department performing an investigation and inspection under this section may not report a violation that is significant under the department's rules if the violation is corrected during the investigation and inspection.*

1 AN ACT
2 relating to the election of directors of the Real-Edwards
3 Conservation and Reclamation District.

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

5 SECTION 1. Section 11, Chapter 341, Acts of the 56th
6 Legislature, Regular Session, 1959, is amended to read as follows:

7 Sec. 11. (a) The government and control of the District
8 shall be vested in a Board of Directors consisting of nine ~~[-9-]~~
9 members. Directors serve staggered four-year terms expiring on
10 January 1 of odd-numbered years.

11 (b) The District shall hold an election on the uniform
12 election date in November of each even-numbered year to elect the
13 appropriate number of Directors ~~[There shall be held in the~~
14 ~~District on the first Tuesday after the first Monday in November in~~
15 ~~each even-numbered year an election within the District for the~~
16 ~~selection of Directors to succeed those whose terms expire on said~~
17 ~~date. Such election shall be held in such voting boxes as are~~
18 ~~designated by the Board of Directors, and notice of such election~~
19 ~~shall be given by the Secretary of the Board of Directors by posting~~
20 ~~in three (3) public places within the District a copy of the order~~
21 ~~of the Board of Directors directing the time and places of holding~~
22 ~~the election. No person shall be selected a Director unless he be~~
23 ~~above the age of twenty-one (21) years and a resident within the~~
24 ~~territorial limits of the District].~~

1 (b-1) An applicant to be a candidate for election as a
2 Director must indicate on the application either:

3 (1) the position number of the District that the
4 person seeks to represent; or

5 (2) that the person seeks to run at large.

6 (b-2) To be eligible to be a candidate for Director position
7 number 1, 3, 5, or 7, a person must be a registered voter in Edwards
8 County.

9 (b-3) To be eligible to be a candidate for Director position
10 number 2, 4, 6, or 8, a person must be a registered voter in Real
11 County.

12 (b-4) To be eligible to be a candidate for the at-large
13 position, a person must be a registered voter in the District.

14 (c) Any vacancy occurring in the membership of the Board of
15 Directors shall be filled by the remaining members of the Board for
16 the unexpired term of such office.

17 (d) Before entering upon the duties of ~~his~~ office, each
18 member of the Board of Directors shall take the Constitutional oath
19 of office.

20 SECTION 2. (a) A member of the board of directors of the
21 Real-Edwards Conservation and Reclamation District serving on the
22 effective date of this Act shall continue in office until the
23 member's successor qualifies for office.

24 (b) At the election held November 6, 2012, four directors
25 shall be elected from positions 1, 2, 3, and 4.

26 (c) At the election held November 4, 2014, four directors
27 shall be elected from position numbers 5, 6, 7, and 8 and one

S.B. No. 1492

1 director shall be elected at large.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1492 passed the Senate on
April 14, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1492 passed the House on
May 13, 2011, by the following vote: Yeas 144, Nays 0, one
present not voting.

Chief Clerk of the House

Approved:

Date

Governor