

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 4. DEVELOPMENT AND IMPROVEMENT
SUBTITLE C. DEVELOPMENT, IMPROVEMENT, AND MANAGEMENT
CHAPTER 3831. TEMPLE HEALTH AND BIOSCIENCE ECONOMIC DEVELOPMENT
DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3831.001. DEFINITIONS. In this chapter:

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

(2) "City council" means the governing body of the City of Temple.

(3) "Director" means a board member.

(4) "District" means the Temple Health and Bioscience Economic Development District.

(5) "Obligation" means an interest-bearing obligation issued by the district under this chapter, including a bond, certificate, note, or other evidence of indebtedness.

(6) "Project" means a project established under Section [3831.111](#) and includes the land, buildings, equipment, facilities, infrastructure, improvements, and other property necessary to accomplish the purposes of the project.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.002. PURPOSE; DECLARATION OF LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of Section [52-a](#), Article III, and Section [59](#), Article XVI, Texas Constitution, and to accomplish other public purposes stated in this chapter, including:

(1) development and diversification of the economy of the state;

(2) the elimination of unemployment or underemployment in the state;

(3) the stimulation of agricultural innovation;

(4) fostering the growth of enterprises based on

agriculture; and

(5) the development or expansion of transportation or commerce in the state.

(b) This chapter is enabling legislation enacted to further the public purposes under Section 52-a, Article III, Texas Constitution.

(c) The creation of the district is necessary to further the public purpose of improving the economy of this state and of the city of Temple by providing for the development of health and bioscience operations and facilities.

(d) The district serves the public purposes stated in this section.

(e) Property owners in the district benefit from the district and its activities.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 507 (S.B. 1033), Sec. 1, eff. June 19, 2009.

Sec. 3831.003. NATURE OF DISTRICT. The district is a special district and a political subdivision of this state under Section 59, Article XVI, Texas Constitution.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.004. DISTRICT TERRITORY. The district boundaries are coextensive with the boundaries of the city of Temple as the boundaries of the city are adjusted by the city.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.005. LIBERAL CONSTRUCTION OF CHAPTER. This chapter shall be construed liberally in conformity with the legislative findings and purposes stated in this chapter.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

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

(1) a tax increment reinvestment zone created by the City of Temple under Chapter 311, Tax Code; or

(2) a tax abatement reinvestment zone created by the City of Temple under Chapter 312, Tax Code.

(b) If the City of Temple creates a tax increment reinvestment zone described by Subsection (a), the city and the board of directors of the zone, by contract with the district, may:

(1) grant money deposited in the tax increment fund to the district to be used by the district for any purpose, including pledging the money as security for any bonds issued by the district for an improvement project; or

(2) give the district the power to manage or implement a reinvestment zone's project or financing plans.

Added by Acts 2009, 81st Leg., R.S., Ch. 507 (S.B. 1033), Sec. 2, eff. June 19, 2009.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3831.051. GOVERNING BODY. The district is governed by a board of seven directors elected as provided by this chapter.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.052. TERMS. Directors serve staggered three-year terms.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.053. DATE OF ELECTIONS. The district shall hold board elections so that:

(1) four directors are elected on the regular election day on which certain members of the city council and the mayor of the City of Temple are elected; and

(2) three directors are elected on the regular election day on which the other members of the city council of the City of Temple are elected.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.054. QUALIFICATIONS. A director:

(1) must be a registered voter of the City of Temple;
and

(2) may not:

(A) be an elected official; or

(B) be employed by the district or the City of Temple.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.055. VACANCY. The remaining directors shall fill a vacancy in the office of director for the unexpired term.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.056. DIRECTOR'S BOND; OATH OR AFFIRMATION. (a) As soon as practicable after a director is elected or appointed, the director shall execute a bond for \$10,000 payable to the district and conditioned on the faithful performance of the director's duties.

(b) The bond must be approved by the board.

(c) The bond and the director's constitutional oath or affirmation of office shall be filed with the district and the district shall retain the bond and the oath or affirmation in the district's records.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.057. OFFICERS. (a) The board shall elect from among the directors a presiding officer, a secretary, and any other officers the board considers necessary.

(b) The board by resolution shall establish the powers and duties of the officers, consistent with this chapter.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.058. COMPENSATION; EXPENSES. A director serves without compensation but is entitled to reimbursement for actual and necessary expenses approved by the board.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.059. MEETINGS; NOTICE OF MEETINGS. (a) The board may establish regular meetings to conduct district business and may hold special meetings at other times as necessary.

(b) The board shall provide the notice prepared under Subchapter C, Chapter 551, Government Code, to the City of Temple's secretary. In addition to the requirements imposed by that subchapter on the district, the city shall post the notice at the usual location at which notices of city council meetings are posted.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.060. EMPLOYEES; PERSONS HIRED BY BOARD. (a) The board shall employ any person the board considers necessary to conduct district affairs, including:

- (1) engineers;
- (2) attorneys;
- (3) financial advisors;
- (4) economists;
- (5) a general manager;
- (6) a utility operator;
- (7) bookkeepers;
- (8) auditors; and
- (9) clerical workers.

(b) The board by resolution shall determine the compensation and terms of service of any person employed or hired by

the district.

(c) The board may remove any employee.

(d) The board may require an employee to execute a bond payable to the district and conditioned on the faithful performance of the person's duties.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3831.101. GENERAL POWERS. The district has all powers necessary or convenient to carry out and effect the purposes and provisions of this chapter.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.102. RULES. The board may adopt rules to govern the district, including rules governing district operations, employees, and property.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.103. DISTRICT OFFICE. The board shall designate and establish a district office in the city of Temple.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.104. PROPERTY. The district may exercise any type of property right, including the power to acquire, sell, or lease as lessee or lessor, regarding any type of property interest located inside or outside the boundaries of the district under terms determined by the board.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 507 (S.B. 1033), Sec. 3, eff. June 19, 2009.

Sec. 3831.105. AGREEMENTS. The district may make an agreement with any person for any district purpose, including a contract to manage or maintain a district project.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.106. GIFTS, GRANTS, AND LOANS. The district may accept a gift, grant, or loan from any person for any district purpose.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.107. COMPETITIVE BIDDING. (a) Except as provided by Subsection (b), Section 375.221, Local Government Code, applies to the district.

(b) Section 375.221, Local Government Code, does not apply to a contract between the district and:

- (1) another governmental entity;
- (2) a nonprofit corporation, including a scientific research corporation; or
- (3) a corporation created under the Development Corporation Act (Subtitle C1, Title 12, Local Government Code).

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.56, eff. April 1, 2009.

Sec. 3831.108. RELATION TO OTHER LAW ON CONTRACTS. This chapter states the procedures necessary to award contracts and supersedes any law or other requirement otherwise applicable to the district regarding the award of contracts.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.109. FEES FOR USE OF DISTRICT IMPROVEMENTS. The

district may establish and maintain reasonable and nondiscriminatory rates, fares, charges, rents, or other fees or compensation for the use of the improvements constructed by, operated by, leased to or by, or maintained by the district.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 507 (S.B. 1033), Sec. 4, eff. June 19, 2009.

Sec. 3831.110. PROGRAMS. (a) The district may establish and provide for the administration of one or more programs to:

- (1) promote state or local economic development; and
- (2) stimulate business and commercial activity in the district that relates to a project.

(b) As part of a program, the district may:

- (1) make loans or grants of public money for a public purpose as provided by Section 52-a, Article III, Texas Constitution; or
- (2) provide district personnel and services for the program.

(c) The district may contract with any person to administer a program established under this section.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.111. PROJECTS. (a) The district may establish projects inside or outside the boundaries of the district for:

- (1) bioscience and health products, including projects related to:
 - (A) research and development;
 - (B) invention and discovery;
 - (C) commercialization;
 - (D) production and manufacturing of goods and products, including projects for manufacturing facilities; and
 - (E) development of production process and delivery system purposes in, involved in, based on, or related to,

or intended to advance the state of knowledge, skill, and understanding of, the biosciences, including:

- (i) wet laboratories;
- (ii) clean rooms;
- (iii) dry laboratories;
- (iv) research and development facilities;
- (v) genetics facilities and equipment;
- (vi) pharmaceutical facilities and equipment;
- (vii) biotechnology incubators;
- (viii) bioscience and biotechnology health care facilities;
- (ix) biotechnology facilities;
- (x) bioscience facilities; and
- (xi) other similar projects;

(2) bioscience education, including projects for health or biotechnology education facilities, regardless of any affiliation with other institutions of higher, vocational, or job training education;

- (3) access to public safety facilities and equipment;
- (4) streets and roads;
- (5) drainage services;
- (6) wastewater services;
- (7) potable water services;
- (8) telecommunication facilities;
- (9) demolition of existing structures;
- (10) development and institution of water conservation programs;
- (11) chilled water services;
- (12) steam services;
- (13) industrial gases services;
- (14) other utility and process and production services; or
- (15) the support of any other type of health or bioscience projects.

(b) A project must be related to the bioscience or health purposes of the district.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.03, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 507 (S.B. [1033](#)), Sec. 5, eff. June 19, 2009.

Sec. 3831.112. SUITS. (a) The district may sue and be sued.

(b) Service of process in a suit may be made by serving any two directors.

(c) The district may not be required to give security for costs and may appeal from a judgment without giving a supersedeas bond or cost bond.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.113. SEAL. The district may adopt a seal.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.114. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation under the Business Organizations Code. The nonprofit corporation may be organized to perform biomedical or scientific research or provide biomedical or scientific education for the benefit of the public. The nonprofit corporation shall assist and act for the district in implementing a project or providing a service authorized by this chapter or Chapter [431](#), Transportation Code.

(a-1) Expired.

(b) The nonprofit corporation:

(1) has each power of and is considered for purposes of this chapter to be a local government corporation created under Chapter [431](#), Transportation Code; and

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board may appoint a director of the district's board to serve as a director of the nonprofit

corporation. The board of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Chapter 431, Transportation Code.

(d) Expired.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 507 (S.B. 1033), Sec. 6, eff. June 19, 2009.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 3831.151. USE OF DISTRICT MONEY. The district may use district money for any district purpose, including:

- (1) to pay for projects; and
- (2) to pay district obligations.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.152. INVESTMENTS. (a) The district may invest money the district receives under this chapter.

(b) The district may hire a person to invest district money on terms the board considers advisable.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.153. DISBURSEMENTS OR TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.154. DEPOSITORY INSTITUTION. The district may select one or more financial institutions to serve as a depository bank for the district.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.155. ACCOUNTS; FISCAL YEAR. (a) The district may establish an accounting system for the district for each year.

(b) The district may establish a fiscal year for the district.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.156. PROJECT FUND. (a) The district by resolution shall establish a project fund.

(b) The district may establish separate accounts in the project fund.

(c) The district shall deposit into the project fund all money acquired or received by the district, including:

(1) the proceeds from an ad valorem tax imposed by the district; and

(2) revenue from the sale of district obligations.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.157. AUDIT. (a) The district shall enter into a written contract with an independent certified public accountant or a certified public accounting firm for an annual audit of the district's affairs and financial records.

(b) The district shall make the audit available for inspection by the public and the City of Temple.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.158. ASSESSMENTS. The district may impose an assessment on property in the district, including an assessment on a leasehold interest, by agreement with the property owner.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.159. LIABILITIES. The district may incur liabilities, including a liability incurred by:

- (1) borrowing money on terms the board determines; and
- (2) issuing obligations under Section 3831.160.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.160. OBLIGATIONS. (a) The district may issue obligations, including revenue bonds, to pay the costs of a project located inside or outside the boundaries of the district. The proceeds of bonds or other obligations that are payable wholly or partly from ad valorem taxes may not be used for a project located outside the district.

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

(c) Revenue bonds or other district obligations may be payable from and secured by:

- (1) revenue derived from the district's operations, including district projects;
- (2) proceeds of a grant or other funds received by the district;
- (3) revenue derived from a lease or contract entered into by the district; or
- (4) assessments collected by the district.

(d) Revenue bonds or other district obligations may be secured by a mortgage or deed of trust lien on the district's interest in a project or property, including a fee title or a leasehold interest.

(e) The district may issue general obligation bonds if general obligation bonds are authorized by an election held under Subchapter F.

(f) For purposes of this chapter, the district:

- (1) is an issuer under Chapter 1371, Government Code, and may issue bonds or obligations under that chapter; and

(2) may issue refunding bonds or obligations under Chapter 1207, Government Code.

(g) Except for water, sewer, or drainage projects financed by taxes imposed by the district, the district may issue bonds or other obligations and pursue projects without an order of the Texas Commission on Environmental Quality under Section 49.181(a), Water Code.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 507 (S.B. 1033), Sec. 7, eff. June 19, 2009.

SUBCHAPTER E. AD VALOREM TAX

Sec. 3831.201. IMPOSITION OF AD VALOREM TAX. If authorized at an election held under Section 3831.255, the district by order:

(1) may impose an annual ad valorem tax on taxable property in the district to pay for projects or district operating expenses; and

(2) shall impose an ad valorem tax to pay for obligations that are payable wholly or partly from ad valorem taxes.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 507 (S.B. 1033), Sec. 8, eff. June 19, 2009.

Sec. 3831.202. TAX RATE. (a) The board shall determine the tax rate.

(b) The tax rate may not exceed 15 cents per \$100 of assessed valuation of taxable property in the district.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.203. TAX ASSESSOR-COLLECTOR. The board may:

(1) appoint a district tax assessor-collector; or

(2) contract for the assessment and collection of taxes as provided by the Tax Code.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

SUBCHAPTER F. ELECTION TO ALLOW TAXING OR RELATED OBLIGATION
AUTHORITY

Sec. 3831.251. APPLICATION FOR PETITION TO CALL ELECTION.

(a) If 10 or more registered voters of the city of Temple file a written application with the city for a petition to authorize the district to impose an ad valorem tax, the city shall issue to the applicants a petition to be circulated among the registered voters of the city for the signatures of voters who want to authorize the district to impose an ad valorem tax.

(b) At the request of petitioners under this section, a petition for a local option election to determine whether the district may impose an ad valorem tax may also provide that at the same election the district shall be authorized to issue obligations payable wholly or partly from that ad valorem tax as permitted under Section 3831.160.

(c) The application for the petition must be titled: "Application for Local Option Election Petition to Enable the Temple Health and Bioscience Economic Development District to Impose an Ad Valorem Tax not to Exceed 15 Cents per \$100 Valuation of all Taxable Property in the District."

(d) The application must contain a statement just before the signatures of the applicants that reads substantially as follows: "The petitioners whose signatures appear on this petition intend that the Temple Health and Bioscience Economic Development District be enabled to impose an ad valorem tax not to exceed 15 cents per \$100 valuation of all taxable property in the district."

(e) If the petition also seeks an election to authorize the issuance of obligations by the district payable wholly or partly from ad valorem taxes, the statement: "and to Issue Bonds Payable in

Whole or in Part from the Ad Valorem Tax" must be appended to the title specified by Subsection (c).

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.252. FORM AND COPIES OF PETITION. (a) Each petition issued under Section 3831.251 must show the date it is issued by the City of Temple and be serially numbered. Each page of the petition must bear the same date and serial number.

(b) The City of Temple shall supply as many copies of the petition as required by the applicants but not to exceed more than one page of the petition for every 10 registered voters in the city. Each copy shall bear the date, number, and seal on each page as required on the original petition.

(c) The City of Temple shall keep a copy of each petition and a record of the applicants for that petition.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.253. FILING AND VERIFICATION OF PETITION. (a) The applicants requesting a petition under Section 3831.251 may file a request with the City of Temple for the petition to be verified. The applicants must file the request not later than the 120th day after the date the petition is issued by the City of Temple.

(b) If the applicants file a request for verification of the petition, the City of Temple shall examine the names of the signers of petitions and determine whether the signers of the petition were registered voters of the city at the time the petition was issued.

(c) The City of Temple shall certify to the city council the number of registered voters signing the petition not later than the 15th day after the date the request for verification was filed.

(d) A signature may not be counted under this section if there is good reason to believe that:

(1) the signature is not the actual signature of the purported signer;

(2) the voter registration certificate number is not

correct;

(3) the signature duplicates a name or the handwriting used in any other signature on the petition; or

(4) the signer's residence address cannot be verified.
Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.254. ELECTION ORDER. (a) Not later than the date of the second regular session of the city council convened after a petition has been verified under Section 3831.253, the city council shall order an election to be held in the district on the proposition stated in the petition if the petition contains:

(1) the signatures of a number of registered voters of the city of Temple equal to at least 10 percent of the registered voters of the city who voted in the most recent general election in the city;

(2) a notation showing the residence address of each signer;

(3) each signer's voter registration certificate number; and

(4) each signer's printed name.

(b) The following shall be entered in the city council minutes:

(1) the dates a petition is presented to and verified by the City of Temple;

(2) the names of the signers; and

(3) the action taken on the petition.

(c) The order issued under Subsection (a) must state that the district's boundaries are coextensive with the boundaries of the city of Temple and that the election will be held within those boundaries.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.255. NOTICE AND CONDUCT OF ELECTION; RESULTS. (a) The city council shall give notice of an election ordered under Section 3831.254 by publishing a substantial copy of the election

order once a week for two consecutive weeks in a newspaper with general circulation in the city of Temple.

(b) The first publication of the notice must appear before the 14th day before the date set for the election. If the election order includes the issue of whether the district may issue obligations, the first publication of the notice must appear before the 31st day before the date set for the election.

(c) The ballot for an election held under this section must be printed to permit voting for or against the following proposition, as appropriate according to the verified petition:

(1) "Authorizing the imposition of an ad valorem tax not to exceed the rate of 15 cents per \$100 valuation of all taxable property in the district"; or

(2) "Authorizing the imposition of an ad valorem tax not to exceed the rate of 15 cents per \$100 valuation of all taxable property in the district and to issue bonds payable in whole or in part from the ad valorem tax."

(d) The district may impose the tax if a majority of the district voters voting at the election favor the proposition stated in Subsection (c)(1) or (2). The district may issue obligations payable wholly or partly from ad valorem taxes if a majority of the district voters voting at the election favor the proposition stated in Subsection (c)(2).

(e) If a majority of the district voters voting at the election vote against the proposition, another election on the proposition may not be held before the first anniversary of the date of the most recent election concerning the proposition.

(f) The City of Temple shall hold an election provided under this section on the earliest uniform election date under Section [41.001](#), Election Code, that occurs after the city council adopts the order calling the election.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.03, eff. April 1, 2007.

SUBCHAPTER G. DISSOLUTION OF DISTRICT

Sec. 3831.301. DISSOLUTION OF DISTRICT. The district may be

dissolved only as provided by this subchapter.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.302. DISSOLUTION BY ORDER OF CITY COUNCIL. (a) The board may petition the city council to dissolve the district if the board finds that the district:

(1) has not issued obligations under Section 3831.160 and that the purposes of the district are impracticable, or reasonably and economically cannot be successful or accomplished; or

(2) has paid, or otherwise provided for payment of, all obligations issued under Section 3831.160 and that the district purposes have been accomplished.

(b) On receipt of the petition, the city council shall hold a public hearing to determine whether the dissolution of the district serves the best interests of the City of Temple and of the residents of the city.

(c) After the hearing, the city council shall:

(1) enter in the council records the appropriate findings and an order dissolving the district if the city council unanimously determines that the best interests of the City of Temple and of the residents of the city will be served by dissolving the district; or

(2) enter an order providing that the district is not dissolved if the city council does not unanimously determine that the best interests of the City of Temple and of the residents of the city will be served by dissolving the district.

(d) On dissolution of the district under this section:

(1) all money and other property of the district are transferred to the City of Temple; and

(2) the City of Temple shall assume any remaining district contracts or other district obligations.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.303. DISSOLUTION OF DISTRICT ON AGREEMENT WITH

CITY. (a) The district may be dissolved by agreement between the city council and the board.

(b) On dissolution of the district under this section:

(1) all money and other property of the district are transferred to the City of Temple; and

(2) the City of Temple shall assume the district's responsibilities regarding all district contracts, debts, and obligations.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.03, eff. April 1, 2007.

Sec. 3831.304. EFFECT OF DISSOLUTION ON TAXES. On dissolution of the district, any taxes imposed by the district are abolished.

Added by Acts 2005, 79th Leg., Ch. 729 (H.B. [2019](#)), Sec. 1.03, eff. April 1, 2007.