

SPECIAL DISTRICT LOCAL LAWS CODE

TITLE 4. DEVELOPMENT AND IMPROVEMENT

SUBTITLE C. DEVELOPMENT, IMPROVEMENT, AND MANAGEMENT

CHAPTER 3951. LAKEWOOD IMPROVEMENT DISTRICT OF HARRIS COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3951.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "City" means the City of Houston.
- (3) "County" means Harris County.
- (4) "Director" means a board member.
- (5) "District" means the Lakewood Improvement

District of Harris County.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.002. NATURE OF DISTRICT. The district is a special district created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections [52](#) and [52-a](#), Article III, and Section [59](#), Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city, the county, and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section [52-a](#), Article III, Texas Constitution.

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

land in the district.

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

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

(a) The district is created to serve a public use and benefit.

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

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

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

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

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

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

(4) provide for road, bridge, and recreational

facilities for the district.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street or road and are considered to be a street or road improvement.

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

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.005. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bonds for the purposes for which the district is created or to pay the principal of and interest on bonds;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter [311](#), Tax Code;

(2) a tax abatement reinvestment zone created under Chapter [312](#), Tax Code;

(3) an enterprise zone created under Chapter [2303](#), Government Code; or

(4) an industrial district created under Chapter 42, Local Government Code.
Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.
Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.008. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.
Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3951.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five voting directors who serve staggered terms of four years, with two or three directors' terms expiring June 1 of each odd-numbered year.

(b) The board by resolution may change the number of voting directors on the board if the board determines that the change is in the best interest of the district. The board may not consist of fewer than five or more than nine voting directors.
Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.052. APPOINTMENT OF VOTING DIRECTORS. The Texas Commission on Environmental Quality shall appoint voting directors from persons recommended by the board.
Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.053. NONVOTING DIRECTORS. The board may appoint

nonvoting directors to serve at the pleasure of the voting directors.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.054. QUORUM. For purposes of determining the requirements for a quorum of the board, the following are not counted:

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

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

(3) a nonvoting director.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.055. COMPENSATION. A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section [49.060](#), Water Code. Sections [375.069](#) and [375.070](#), Local Government Code, do not apply to the board.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3951.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using any money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an

improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.103. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.104. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local government corporation created under Subchapter D, 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 of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.105. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

(b) The implementation of a project is a governmental

function or service for the purposes of Chapter 791, Government Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.106. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county or the city, to provide law enforcement services in the district for a fee.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.108. ECONOMIC DEVELOPMENT. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

- (1) make loans and grants of public money; and
- (2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to municipalities by:

- (1) Chapter 380, Local Government Code; and
- (2) Subchapter A, Chapter 1509, Government Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.109. PARKING FACILITIES. (a) The district may

acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street or road improvement.

(d) The development and operation of the district's parking facilities may be considered an economic development program.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.110. ANNEXATION AND EXCLUSION OF LAND. (a) The district may annex land as provided by Subchapter J, Chapter 49, Water Code.

(b) The district may exclude land as provided by Subchapter J, Chapter 49, Water Code. Section 375.044(b), Local Government Code, does not apply to the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.111. NAVIGATION DISTRICT POWERS. (a) The district has the powers provided by the general law of this state applicable to navigation districts created under Section 59, Article XVI, Texas Constitution, including Chapters 60 and 62, Water Code.

(b) The district may purchase, construct, acquire, own, operate, maintain, improve, or extend, inside and outside the district, a canal, waterway, bulkhead, dock, or other improvement or facility necessary or convenient to accomplish the navigation purposes of the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1,

eff. June 12, 2017.

Sec. 3951.112. ROAD DISTRICT POWERS. The district has the powers provided by the general laws relating to road districts and road utility districts created under Section 52(b), Article III, Texas Constitution, including Chapters 257 and 441, Transportation Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.113. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.114. PROPERTY OF CERTAIN UTILITIES EXEMPT FROM ASSESSMENTS AND FEES. The district may not impose an assessment, impact fee, or standby fee on the property, including the equipment, rights-of-way, easements, facilities, or improvements, of:

(1) an electric utility or a power generation company as defined by Section 31.002, Utilities Code;

(2) a gas utility, as defined by Section 101.003 or 121.001, Utilities Code, or a person who owns pipelines used for the transportation or sale of oil or gas or a product or constituent of oil or gas;

(3) a person who owns pipelines used for the transportation or sale of carbon dioxide;

(4) a telecommunications provider as defined by Section 51.002, Utilities Code; or

(5) a cable service provider or video service provider as defined by Section 66.002, Utilities Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.115. USE OF ELECTRICAL OR OPTICAL LINES. (a) The district may impose an assessment to pay the cost of:

(1) burying or removing electrical power lines, telephone lines, cable or fiber-optic lines, or any other type of electrical or optical line; and

(2) removing poles and any elevated lines using the poles.

(b) The district may finance, acquire, construct, improve, operate, maintain, or charge fees for the use of the district conduits for another person's:

(1) telecommunications network; or

(2) fiber-optic cable.

(c) Consistent with Title 2, Utilities Code, the district may finance, construct, or maintain conduits for:

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

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

(d) The district may not require a person to use a district conduit.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.116. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3951.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.153. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

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

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.154. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

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

fees incurred by the district:

(1) are a first and prior lien against the property assessed;

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

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

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

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

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.155. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of a tax or assessment on property in the zones.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section [375.161](#), Local Government Code, does not apply to the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.157. COMPETITIVE BIDDING. Subchapter [I](#), Chapter [49](#), Water Code, applies to the district. Sections [375.221](#) and [375.223](#), Local Government Code, do not apply to the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3951.201. ELECTIONS REGARDING TAXES AND BONDS.

(a) The district may issue, without an election, bonds, notes, and other obligations secured by:

- (1) revenue other than ad valorem taxes; or
- (2) contract payments described by Section 3951.203.

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

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

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

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.202. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election held in accordance with Section 3951.201, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code, for any district purpose, including to:

- (1) maintain and operate the district;
- (2) construct or acquire improvements; or
- (3) provide a service.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

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

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.203. CONTRACT TAXES. (a) In accordance with

Section [49.108](#), Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board. Section [375.205](#), Local Government Code, does not apply to a loan, line of credit, or other borrowing from a bank or financial institution secured by revenue other than ad valorem taxes.

(b) The district may issue bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose.

(c) The limitation on the outstanding principal amount of bonds, notes, and other obligations provided by Section [49.4645](#), Water Code, does not apply to the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.205. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct annual ad valorem tax, without limit as to rate or amount, for each year that all or part of the bonds are outstanding as required and in the manner provided by Sections [54.601](#) and [54.602](#), Water Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.206. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

SUBCHAPTER F. SALES AND USE TAX

Sec. 3951.251. MEANINGS OF WORDS AND PHRASES. A word or phrase used in this subchapter that is defined by Chapter 151 or 321, Tax Code, has the meaning assigned by Chapter 151 or 321, Tax Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.252. APPLICABILITY OF CERTAIN TAX CODE PROVISIONS. (a) The provisions of Subchapters C, D, E, and F, Chapter 323, Tax Code, relating to county sales and use taxes apply to the application, collection, and administration of a sales and use tax imposed under this subchapter to the extent consistent with this chapter, as if references in Chapter 323, Tax Code, to a county referred to the district and references to a commissioners court referred to the board.

(b) Sections 323.401-323.404 and 323.505, Tax Code, do not apply to a tax imposed under this subchapter.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.253. AUTHORIZATION; ELECTION. (a) The district shall adopt, reduce, or repeal the sales and use tax authorized by this subchapter at an election in which a majority of the voters of the district voting in the election approve the adoption, reduction, or repeal of the tax, as applicable.

(b) The board by order shall call an election to adopt,

reduce, or repeal a sales and use tax. The election shall be held on the first authorized uniform election date that occurs after the time required by Section 3.005, Election Code.

(c) The district shall provide notice of the election and shall hold the election in the manner prescribed by Chapter 54, Water Code, for bond elections for municipal utility districts.

(d) The ballots shall be printed to provide for voting for or against the following appropriate proposition:

(1) "Adoption of a ____ percent district sales and use tax in the district";

(2) "Reduction of the district sales and use tax in the district from ____ percent to ____ percent"; or

(3) "Repeal of the district sales and use tax in the district."

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.254. EFFECTIVE DATE OF TAX. A tax imposed under this subchapter or the repeal or reduction of a tax under this subchapter takes effect on the first day of the first calendar quarter that occurs after the date the comptroller receives the copy of the resolution as required by Section 323.405(b), Tax Code. Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. 2276), Sec. 1, eff. June 12, 2017.

Sec. 3951.255. SALES AND USE TAX RATE. (a) On adoption of the tax authorized by this subchapter, there is imposed a tax of two percent, or the maximum rate at which the combined tax rate of all local sales and use taxes in any location in the district does not exceed two percent, on the receipts from the sale at retail of taxable items in the district, and an excise tax on the use, storage, or other consumption in the district of taxable items purchased, leased, or rented from a retailer during the period that the tax is in effect.

(b) The rate of the excise tax is the same as the rate of the sales tax portion of the tax and is applied to the sales price of the taxable item.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.256. EXAMINATION AND RECEIPT OF INFORMATION. The district may examine and receive information related to the imposition of a sales and use tax to the same extent as if the district were a municipality.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.257. ALTERNATIVE METHOD OF IMPOSITION. Notwithstanding any other provision of this subchapter, the district may impose the sales and use tax as provided by Subchapter [F](#), Chapter [383](#), Local Government Code, instead of as provided by the other provisions of this subchapter.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

SUBCHAPTER G. DEFINED AREAS

Sec. 3951.301. AUTHORITY TO ESTABLISH DEFINED AREAS OR DESIGNATED PROPERTY. The district may define areas or designate certain property of the district to pay for improvements, facilities, or services that primarily benefit that area or property and do not generally and directly benefit the district as a whole.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.302. PROCEDURE FOR ELECTION. (a) Before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes of the defined area or designated property, the board shall hold an election in the defined area or in the designated property only.

(b) The board may submit the issues to the voters on the same ballot to be used in another election.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1,

eff. June 12, 2017.

Sec. 3951.303. DECLARING RESULT AND ISSUING ORDER. If a majority of the voters voting at the election approve the proposition or propositions, the board shall declare the results and, by order, shall establish the defined area and describe it by metes and bounds or designate the specific property.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.304. TAXES FOR SERVICES, IMPROVEMENTS, AND FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter approval and adoption of the order described by Section [3951.303](#), the district may apply separately, differently, equitably, and specifically its taxing power and lien authority to the defined area or designated property to provide money to construct, administer, maintain, and operate services, improvements, and facilities that primarily benefit the defined area or designated property.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

Sec. 3951.305. ISSUANCE OF BONDS FOR DEFINED AREA OR DESIGNATED PROPERTY. After the order under Section [3951.303](#) is adopted, the district may issue bonds to provide for any land, improvements, facilities, plants, equipment, and appliances for the defined area or designated property.

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.

SUBCHAPTER H. DISSOLUTION OF DISTRICT

Sec. 3951.351. DISSOLUTION. (a) Except as provided by Subsection (b), the board:

(1) may dissolve the district; and

(2) shall dissolve the district on receipt of a written petition requesting dissolution signed by the owners of 75

percent of the acreage of real property in the district.

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

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

Added by Acts 2017, 85th Leg., R.S., Ch. 667 (S.B. [2276](#)), Sec. 1, eff. June 12, 2017.