

CHAPTER 655

H.B. No. 2829

AN ACT

relating to authorizing the Elkins Lake Municipal Utility District to transfer money from the district's municipal utility district operating fund to the district's road utility district operating fund.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "Board" means the board of directors of the Elkins Lake Municipal Utility District.

(2) "District" means the Elkins Lake Municipal Utility District.

SECTION 2. AUTHORITY. On the approval of the district's voters, the district may transfer to its road utility district operating fund the district's surplus net revenues from operation funds collected under its municipal utility district taxing authority through March 1, 1993. The total amount of transfers under this Act may not exceed \$500,000.

SECTION 3. ELECTION. (a) The board of directors shall call and hold an election in the district to determine whether the district will be authorized to transfer the funds.

(b) At the election, the ballots shall be printed to permit voting for or against the proposition: "The Elkins Lake Municipal Utility District shall be authorized to transfer surplus net revenues up to \$500,000 from the municipal utility district operating fund to the road utility district operating fund."

(c) If a majority of the qualifying voters of the district voting in the election favor the proposition, the district may transfer the surplus net revenues in whole or in part at any time.

(d) If a majority of the qualifying voters of the district voting in the election do not favor the proposition, the board may not call and hold another election on the proposition before the first anniversary of the date on which the most recent election on the proposition is held.

(e) Section 41.001(a), Election Code, does not apply to an election under this Act.

(f) Except as otherwise provided by this Act, the board of directors shall call and hold the election in the manner provided by the Election Code and by Chapter 13, Acts of the 68th Legislature, 2nd Called Session, 1984 (Article 6674r-1, Vernon's Texas Civil Statutes), for municipal utility districts assuming road utility district authority.

SECTION 4. 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 April 30, 1993: Yeas 128, Nays 0, 2 present, not voting; passed by the Senate on May 24, 1993: Yeas 31, Nays 0.

Approved June 12, 1993.

Effective June 12, 1993.