

stance shall be held to be invalid or unconstitutional, the remainder of the Act shall nevertheless be valid, and the Legislature hereby declares that this Act would have been enacted without such invalid or unconstitutional word, phrase, clause, paragraph, sentence, part, portion, or provision.

Sec. 6. The fact that the inhabitants of said District are in urgent need of the proposed projects and improvements for which this District was created 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 by the House on May 21, 1965, by a non-record vote; House concurred in Senate amendments on May 27, 1965, by a non-record vote; passed by the Senate, as amended, on May 26, 1965: Yeas 29, Nays 0.

Approved June 16, 1965.

Effective Aug. 30, 1965, 90 days after date of adjournment.

UPPER LEON RIVER MUNICIPAL WATER DISTRICT— DIRECTORS

CHAPTER 542

H. B. No. 1178

An Act amending Chapter 405, Acts of the 57th Legislature, Regular Session, 1961 (codified as Article 8280—257, Vernon's Texas Civil Statutes), which created Upper Leon River Municipal Water District, providing that Directors appointed by Potential Cities shall not have voting rights or be considered for quorum purposes until the cities appointing such Directors shall become Constituent Cities; establishing an additional procedure for detaching the territory of a Potential City; providing a severability clause; and declaring an emergency.

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

Section 1. That Section 17 of Chapter 405, Acts of the 57th Legislature, Regular Session, 1961 (codified as Article 8280—257, Vernon's Texas Civil Statutes), is hereby amended⁴⁸ so to read hereafter as follows:

"Section 17. No contract under which the District will supply water to a Potential City or to any other city hereafter annexed to the District shall be executed and no tax shall be levied for bonds in any such Potential City or city until such action shall have been authorized at an election held in such Potential City or in such city. Within the discretion of the Board of Directors of the District the first election on the question of executing such contract and the first election as to voting such tax may be held in less than all of the Potential Cities. Until an election is held in a Potential City and until it has voted adversely, it shall remain a Potential City. Whenever an election is held in all Potential Cities or in some of them either for approval of contracts between the respective Potential Cities and the District, or for the voting of an ad valorem tax to pay wholly or partially the principal of and interest on any bonds proposed by the

48. Vernon's Ann.Civ.St. art. 8280—257,
§ 17.

District, and if a majority of the votes cast in one or more of such Potential Cities is against either the executing of such contract or against tax-supported bonds, the Board of Directors may adopt a resolution detaching the territory of any such city from the District if the Board finds that it is to the best interest of the District to execute such contracts with the Potential Cities voting favorably to issue bonds payable wholly or partially from taxes, or to execute such contracts and without participation by the Potential Cities thus voting unfavorably, but no territory shall be detached from the District after the issuance of bonds which are payable from revenues or taxes or both, or after the execution of such contracts. Any city thus detached from the District shall be eligible for reannexation under the provisions of Section 5 hereof. Potential Cities which shall have voted in favor of such contract or tax-supported bond issue, as the case may be, shall after such vote be Constituent Cities, and as such shall remain committed under such vote.

"Provided that at any time before taxes have been levied by the District, and at such time as a majority in number of the Potential Cities named in Section 2 of this Act shall have held elections on the question of approval of contracts between the Potential Cities and the District, and such contracts have been voted favorably in a majority of such Potential Cities, and bonds, the interest on and principal of which are payable from revenues of such contracts, shall have been sold and delivered to the purchaser or purchasers thereof, thereafter (a) only Directors appointed by the governing bodies of Constituent Cities shall have the right to vote on matters coming before the Board of Directors, (b) only Directors appointed by the governing bodies of Constituent Cities shall be counted for the purpose of establishing a quorum of such Board, and (c) upon the passage of an ordinance by the governing body of any Potential City declaring the territory of such Potential City detached, and the filing of a certified copy of such ordinance with the District, the territory of such Potential City shall be detached from the District."

Sec. 2. Proof of Publication of the Constitutional notice required in the enactment hereof under the provisions of paragraph (d) of Section 59 of Article XVI of the Texas Constitution has been made in the manner provided therein and a copy of said notice and the bill as originally introduced have been delivered to the Governor of the State of Texas as required in such Constitutional provision, and such notice and delivery are hereby found and declared to be proper and sufficient to satisfy such requirements.

Sec. 3. The fact that there is a need for the clarification of the rights and duties of members of the Board of Directors of the District appointed by the governing bodies of Potential Cities creates an emergency and an imperative public necessity requiring that the Constitutional Rule that bills be read on three several days be suspended, and such Rule is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted.

Passed by the House on May 24, 1965, by a non-record vote; passed by the Senate on May 26, 1965: Yeas 31, Nays 0.

Approved June 16, 1965.

Effective Aug. 30, 1965, 90 days after date of adjournment.