

By: Hall

S.B. No. 60

A BILL TO BE ENTITLED

AN ACT

relating to the notice and petition for the creation of a municipal utility district in certain counties.

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

SECTION 1. Sections 54.001(4) and (5), Water Code, are amended to read as follows:

(4) "Commission" means the Texas ~~[Natural Resource Conservation]~~ Commission on Environmental Quality.

(5) "Executive director" means the executive director of the commission ~~[Texas Natural Resource Conservation Commission]~~.

SECTION 2. Subchapter B, Chapter 54, Water Code, is amended by adding Section 54.0135 to read as follows:

Sec. 54.0135. PRE-PETITION NOTICE TO CERTAIN COUNTIES. (a) This section applies only to a proposed district described by Section 54.0161(a).

(b) Before a petition requesting creation of a proposed district is filed with the commission under Section 54.014, notice must be sent by certified mail to the commissioners court of each county in which the proposed district is to be located. The notice must:

(1) generally describe the boundaries of the land to be included in the proposed district, including, if possible, by metes and bounds or by lot and block number if there is a recorded

1 map or plat and survey of the area to be included in the district;
2 and

3 (2) inform the commissioners court of the right to:

4 (A) respond to the notice provided under this
5 section;

6 (B) review the petition requesting creation of
7 the proposed district; and

8 (C) submit a written opinion on the creation of
9 the proposed district under Section 54.0161.

10 (c) Notice under this section must be sent by certified mail
11 at least 30 days before the date a petition requesting creation of
12 the proposed district is filed with the commission under Section
13 54.014.

14 SECTION 3. Section 54.015, Water Code, is amended to read as
15 follows:

16 Sec. 54.015. CONTENTS OF PETITION. The petition shall:

17 (1) describe the boundaries of the proposed district
18 by metes and bounds or by lot and block number, if there is a
19 recorded map or plat and survey of the area;

20 (2) state the general nature of the work proposed to be
21 done, the necessity for the work, and the cost of the project as
22 then estimated by those filing the petition; ~~and~~

23 (3) include a name of the district which shall be
24 generally descriptive of the locale of the district followed by the
25 words Municipal Utility District, or if a district is located
26 within one county, it may be designated "_____ County
27 Municipal Utility District No. ____." (Insert the name of the

1 county and proper consecutive number.) The proposed district shall
2 not have the same name as any other district in the same county; and
3 (4) for a district described by Section 54.0161,
4 include a copy of the notice described by Section 54.0135.

5 SECTION 4. Section 54.0135, Water Code, as added by this
6 Act, and Section 54.015, Water Code, as amended by this Act, apply
7 only to a petition requesting creation of a municipal utility
8 district filed with the Texas Commission on Environmental Quality
9 on or after the effective date of this Act. A petition requesting
10 creation of a municipal utility district pending before the Texas
11 Commission on Environmental Quality on the effective date of this
12 Act is governed by the law in effect on the date the petition was
13 filed, and the former law is continued in effect for that purpose.

14 SECTION 5. This Act takes effect on the 91st day after the
15 last day of the legislative session.