

1-1 By: Hall S.B. No. 2192
 1-2 (In the Senate - Filed March 9, 2023; March 22, 2023, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 24, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 24, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2192 By: Parker

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the notice and petition for the creation of a municipal
 1-22 utility district in certain counties.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Sections 54.001(4) and (5), Water Code, are
 1-25 amended to read as follows:

1-26 (4) "Commission" means the Texas ~~Natural Resource~~
 1-27 ~~Conservation~~ Commission on Environmental Quality.

1-28 (5) "Executive director" means the executive director
 1-29 of the commission ~~[Texas Natural Resource Conservation~~
 1-30 ~~Commission]~~.

1-31 SECTION 2. Subchapter B, Chapter 54, Water Code, is amended
 1-32 by adding Section 54.0135 to read as follows:

1-33 Sec. 54.0135. PRE-PETITION NOTICE TO CERTAIN COUNTIES. (a)
 1-34 This section applies only to a proposed district described by
 1-35 Section 54.0161(a).

1-36 (b) Before a petition requesting creation of a proposed
 1-37 district is filed with the commission under Section 54.014, notice
 1-38 must be sent by certified mail to the commissioners court of each
 1-39 county in which the proposed district is to be located. The notice
 1-40 must:

1-41 (1) describe the boundaries of the proposed district
 1-42 by metes and bounds or by lot and block number if there is a recorded
 1-43 map or plat and survey of the area to be included in the district;
 1-44 and

1-45 (2) inform the commissioners court of the right to:
 1-46 (A) respond to the notice provided under this
 1-47 section;

1-48 (B) review the petition requesting creation of
 1-49 the proposed district; and

1-50 (C) submit a written opinion on the creation of
 1-51 the proposed district under Section 54.0161.

1-52 (c) Notice under this section must be sent by certified mail
 1-53 at least 90 days before the date a petition requesting creation of
 1-54 the proposed district is filed with the commission under Section
 1-55 54.014.

1-56 (d) A commissioners court may respond to a notice required
 1-57 under this section. If a commissioners court does not respond to
 1-58 the notice by the date a petition requesting creation of the
 1-59 proposed district is filed with the commission under Section
 1-60 54.014, there is a rebuttable presumption that the commissioners

2-1 court supports the creation of the district.

2-2 SECTION 3. Section 54.015, Water Code, is amended to read as
2-3 follows:

2-4 Sec. 54.015. CONTENTS OF PETITION. The petition shall:

2-5 (1) describe the boundaries of the proposed district
2-6 by metes and bounds or by lot and block number, if there is a
2-7 recorded map or plat and survey of the area;

2-8 (2) state the general nature of the work proposed to be
2-9 done, the necessity for the work, and the cost of the project as
2-10 then estimated by those filing the petition; ~~and~~

2-11 (3) include a name of the district which shall be
2-12 generally descriptive of the locale of the district followed by the
2-13 words Municipal Utility District, or if a district is located
2-14 within one county, it may be designated "_____ County
2-15 Municipal Utility District No. _____." (Insert the name of the
2-16 county and proper consecutive number.) The proposed district shall
2-17 not have the same name as any other district in the same county; and

2-18 (4) for a district described by Section 54.0161,
2-19 include a copy of:

2-20 (A) the notice described by Section 54.0135; and

2-21 (B) any response to the notice provided by the
2-22 commissioners court.

2-23 SECTION 4. Section 54.0135, Water Code, as added by this
2-24 Act, and Section 54.015, Water Code, as amended by this Act, apply
2-25 only to the creation of a municipal utility district on or after the
2-26 effective date of this Act. A petition requesting creation of a
2-27 municipal utility district pending before the Texas Commission on
2-28 Environmental Quality on the effective date of this Act is governed
2-29 by the law in effect on the date the petition was filed, and the
2-30 former law is continued in effect for that purpose.

2-31 SECTION 5. This Act takes effect immediately if it receives
2-32 a vote of two-thirds of all the members elected to each house, as
2-33 provided by Section 39, Article III, Texas Constitution. If this
2-34 Act does not receive the vote necessary for immediate effect, this
2-35 Act takes effect September 1, 2023.

2-36 * * * * *