

BILL ANALYSIS

Senate Research Center

S.B. 1725
By: Lindsay
Natural Resources
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Enrolled

DIGEST AND PURPOSE

Currently, the North Harris County Regional Water Authority (authority) aggregates the water districts in the area to convert ground water to surface water. S.B. 1725 is a clean-up measure to ensure that the authority is able to effectively serve its MUD members as well as 400,000 residents.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1.03(d), Chapter 1029, Acts of the 76th Legislature Regular Session, 1999, to provide that, except to the extent the authority agrees in writing, a municipality's annexation of territory within the North Harris County Regional Water Authority (authority) has not effect on the authority's ability to assess, collect inside the territory annexed by the municipality the types of fees, rates, charges, or special assessments that the authority was assessing and collecting at the time the municipality initiated the annexation; provided, however, that the authority's ability to assess and collect such fees, rates, charges, or special assessments, shall terminate on the later to occur of (i) the date of final payment or defeasance of any bonds or other indebtedness, including any refunding bonds, that are secured by such fees, rates, charges, or special assessments, or (ii) the date that the authority no longer provides services inside the annexed territory. Deletes text providing the annexed municipality territory is excluded authority's territory.

SECTION 2. Amends Section 2.02(c), Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, to require the governing body of the district (board), in the manner described by Section 49.103(d) (Terms of Office Directors), Water Code, to redraw the single-member voting districts as required by law as soon as practicable after each federal decennial census and any change in the boundaries of the authority which increases the total area of the authority by more than 20 percent.

SECTION 3. Amends Section 4.10, Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, by adding Subsection (d) to authorize the authority and a municipality, notwithstanding any inconsistent provision of general law or home-rule municipal charter or ordinance, to enter into a contract of unlimited duration.

SECTION 4. Amends Sections 5.05(a) and (c), Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, as follows:

- (a) Authorizes, rather than requires, the authority to develop a procedure for cooperatively funding a project of the authority with money from other political subdivisions located entirely inside, rather than districts inside, of the authority's boundaries, and authorizes it to develop a procedure for cooperatively funding a project of the authority with money from political subdivisions located in whole or in part outside the authority's boundaries, water supply corporations, or other private entities, if the authority project fulfills a governmental purpose of both the authority and other political subdivisions, or fulfills a governmental purpose of the authority that the authority determines would be furthered by cooperative funding from a private

entity.

(c) Makes conforming changes. Authorizes, rather than requires, the authority to perform certain actions.

SECTION 5. Repealer: Section 5.05(b), Chapter 1029 (regarding funding by other districts), Acts of the 76th Legislature, Regular Session, 1999.

SECTION 6. Provides that the change in law made by Section 4.10(d), Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, as added by this Act, applies only to a contract between the North Harris County Regional Water Authority and a municipality that was entered into after January 1, 2002.

SECTION 7 . Effective date: upon passage or September 1, 2003.