

BILL ANALYSIS

S.B. 1725
By: Lindsay
Natural Resources
Committee Report (Amended)

BACKGROUND 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

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 2.02(d), Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, as follows:

(d) Requires that at the first election after each time the voting districts are redrawn, directors to be elected only to those positions for which the term of office is expiring. Requires a director in office on or elected to office before the effective date of a change in the boundaries of the voting districts to serve the term of the position to which elected even though the change in boundaries places the person's residence outside the district for which the person was elected. Deletes text regarding the representation of single-member voting districts; and five new directors and the drawing of lots to determine their terms.

SECTION 2. Amends Section 4.10, Chapter 1029, Acts of the 76th Legislature, Regular Session, 1999, by adding Subsection (d), as follows:

(d) Authorizes the North Harris County Regional Water Authority (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 3. 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 4. Repealer: Section 5.05(b), Chapter 1029 (regarding funding by other districts), Acts of the 76th Legislature, Regular Session, 1999.

SECTION 5. 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 6 . Effective date: upon passage or September 1, 2003.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect on September 1, 2003.

EXPLANATION OF AMENDMENTS

Committee Amendment No.1 provides for an agreement between the authority and the City of Houston whereby an annexation will not affect fees, rates, and certain other charges by the authority at the time of the annexation subject to termination the later of (1) final payment of bonds being serviced by the fees and/or rates; or (2) the date the Authority no longer services the annexed area.

In addition, Committee Amendment No. 1 directs the authority to continue services in effect at the time of the annexation unless a written agreement between the authority and the City of Houston states otherwise.

Committee Amendment No. 2 replaces SECTION 1 of the original with changes to subsection (c) of the Act wherein reapportionment of single-member districts within the authority must now be redrawn “as required by law” and after a federal decennial census and/or change in the boundaries of the Authority “which increases the total area of the authority by more than 20 percent.”