BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Hidalgo County, which has a population in excess of 500,000, has changed from an agrarian rural community to a rapidly expanding urban retail and manufacturing center. Irrigation District #3 (district) in Hidalgo County has less than eight percent of agricultural land being irrigated and at least 80 percent of the water is used by the City of McAllen.

As proposed, S.B. 975 requires the City of McAllen to make a determination to abolish the district. The bill enables the City of McAllen to take over operation of the district and to make necessary improvements to the district.

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 Subchapter D, Chapter 43, Local Government Code, by adding Section 43.0741, as follows:

> Sec. 43.0741. ABOLITION OF CERTAIN WATER CONTROL AND IMPROVEMENT, WATER IMPROVEMENT, AND IRRIGATION DISTRICTS THAT DELIVER RAW WATER TO MUNICIPALITIES. (a) Provides that this section applies only to certain water control and improvement, water improvement, or irrigation districts (district), and to a municipality that receives raw water from a district described by this subsection.
>
> (b) Authorizes a municipality to adopt an ordinance abolishing a district by a vote of at least two-thirds of the membership of the municipality's governing body under certain determinations of the governing body.
>
> (c) Authorizes the voters of the municipality to protest the enactment or enforcement of the ordinance by filing a petition with the secretary of the municipality (secretary). Requires the petition to be signed by a number of qualified voters of the municipality that is equal to at least 10 percent of the number of voters who voted in the most recent election for municipal officers. Requires the filing of the petition not later than the 30th day after certain actions relating to the ordinance have been taken.
>
> (d) Requires the secretary to verify the signatures on a petition filed in accordance with Subsection (c) and present the verified petition to the governing body of the municipality at the next scheduled meeting.
>
> (e) Requires the governing body of the municipality to suspend the ordinance, and prohibits the municipality from taking an action under the ordinance on receipt of a verified petition.
>
> (f) Requires the governing body of the municipality to reconsider the suspended ordinance at its next meeting. Requires the governing body to submit a proposition for or against the ordinance to the voters at the next municipal

election or at a special election the governing body may order for that purpose if the governing body does not repeal the ordinance. Provides that the ordinance does not take effect unless a majority of the voters voting in the election vote for the ordinance.

(g) Sets forth the date on which the ordinance takes effect.

(h) Sets forth specific actions that occur relating to the abolition of the district if the ordinance takes effect.

(i) Requires a district abolished under this section to provide its management and operational records to the municipality to ensure the orderly transfer of management and operational responsibility to the municipality.

SECTION 2. Effective date: September 1, 2007.