

BILL ANALYSIS

S.B. 1271
By: West, Royce
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 76th Legislature, Regular Session, 1999, recognized the difficulty counties have with ensuring adequate water and wastewater facilities in their unincorporated areas, and authorized all counties to acquire, own, operate, or contract for the operation of water or sewer utility systems to serve such areas. However, the legislation limited this authority to Harris County and adjoining counties.

S.B. 1271 authorizes a county with a population of two million or more and any adjoining county to serve an area within a municipality, with the municipality's approval.

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 412.016, Local Government Code, as follows:

Sec. 412.016. COUNTY WATER AND SEWER SYSTEM. (a) Authorizes a county to finance the operation of a water or sewer utility system to serve an unincorporated area of the county in the same manner and under the same regulations as a municipality under Chapter 402 (Municipal Utilities). Requires the county to comply with all provisions of Chapter 13 (Water Rates and Services), Water Code, that apply to a municipality. Authorizes a county with a population of two, rather than 2.8, million or more and any adjoining county, with the municipality's approval, to serve an area within a municipality. Makes a conforming change.

(b) Makes a conforming change.

(c) Makes a conforming change.

SECTION 2. EFFECTIVE DATE: Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

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