

By: Quintanilla

H.B. No. 1861

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the area served by certain municipal drainage utility
3 systems.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 402.044(8), Local Government Code, is
6 amended to read as follows:

7 (8) "Service area" means the municipal boundaries and
8 any other land areas outside the municipal boundaries which, as a
9 result of topography or hydraulics, contribute overland flow into
10 the watersheds served by the drainage system of a municipality;
11 provided, however, that in no event may a service area extend
12 farther than the boundaries of a municipality's current
13 extraterritorial jurisdiction, nor, except as provided by Section
14 402.0451, may a service area of one municipality extend into the
15 boundaries of another municipality. The service area is to be
16 established in the ordinance establishing the drainage utility.
17 Provided, that no municipality shall extend a service area outside
18 of its municipal boundaries except:

19 (A) a municipality of more than 400,000
20 population [~~located in one or more counties of less than 600,000~~
21 ~~population according to the most recent federal census~~];

22 (B) a municipality all or part of which is
23 located over or within the Edwards Aquifer recharge zone or the
24 Edwards Aquifer transition zone, as designated by the Texas Natural

1 Resource Conservation Commission; or

2 (C) as provided by Section 402.0451.

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2007.