

By: Truitt

H.B. No. 3378

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the requirements governing municipal consent to the  
3 creation or expansion of certain water districts.

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

5 SECTION 1. Section 42.042(a), Local Government Code, is  
6 amended to read as follows:

7 (a) A political subdivision, one purpose of which is to  
8 supply fresh water for domestic or commercial use or to furnish  
9 sanitary sewer services, roadways, or drainage, may not be created  
10 in the extraterritorial jurisdiction of a municipality unless the  
11 governing body of the municipality gives its written consent by  
12 ordinance or resolution in accordance with this subsection and the  
13 Water Code. In giving its consent, the municipality may not place  
14 any conditions or other restrictions on the creation of the  
15 political subdivision other than those expressly permitted by  
16 Sections [Section] 54.016(e) and (i), Water Code.

17 SECTION 2. Section 54.016, Water Code, is amended by adding  
18 Subsection (i) to read as follows:

19 (i) A city may provide in its written consent to the  
20 inclusion of land in a district that a district water facility that  
21 serves land developed and subdivided into lots of less than one acre  
22 must meet the fire flow requirements to which the city is subject.

23 SECTION 3. The changes in law made by this Act apply only to  
24 a political subdivision that adds land on or after the effective

1 date of this Act. A political subdivision that adds land before the  
2 effective date of this Act is governed by the law in effect on the  
3 date the land was added, and the former law is continued in effect  
4 for that purpose.

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