

1-1 By: Truitt (Senate Sponsor - Brimer) H.B. No. 3378
1-2 (In the Senate - Received from the House May 11, 2007;
1-3 May 15, 2007, read first time and referred to Committee on Natural
1-4 Resources; May 21, 2007, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 11, Nays 0;
1-6 May 21, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3378 By: Jackson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the requirements governing municipal consent to the
1-11 creation or expansion of certain water districts.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 42.042(a), Local Government Code, is
1-14 amended to read as follows:

1-15 (a) A political subdivision, one purpose of which is to
1-16 supply fresh water for domestic or commercial use or to furnish
1-17 sanitary sewer services, roadways, or drainage, may not be created
1-18 in the extraterritorial jurisdiction of a municipality unless the
1-19 governing body of the municipality gives its written consent by
1-20 ordinance or resolution in accordance with this subsection and the
1-21 Water Code. In giving its consent, the municipality may not place
1-22 any conditions or other restrictions on the creation of the
1-23 political subdivision other than those expressly permitted by
1-24 Sections ~~[Section]~~ 54.016(e) and (i), Water Code.

1-25 SECTION 2. Section 54.016, Water Code, is amended by adding
1-26 Subsections (i) and (j) to read as follows:

1-27 (i) A city may provide in its written consent to the
1-28 inclusion of land in a district that a district water facility that
1-29 serves land developed and subdivided into lots of less than one acre
1-30 must meet the fire flow requirements to which the city is subject.

1-31 (j) A city may supplement its written consent in settlement
1-32 of a water rate dispute with a district, and the terms of the
1-33 supplement remain in effect after expiration of the written consent
1-34 unless the city and the district agree otherwise.

1-35 SECTION 3. (a) Section 54.016(i), Water Code, as added by
1-36 this Act, applies only to a political subdivision that adds land on
1-37 or after the effective date of this Act. A political subdivision
1-38 that adds land before the effective date of this Act is governed by
1-39 the law in effect on the date the land was added, and the former law
1-40 is continued in effect for that purpose.

1-41 (b) Section 54.016(j), Water Code, as added by this Act,
1-42 applies to a supplement to a municipality's consent to the
1-43 inclusion of land in a district in effect on or after the effective
1-44 date of this Act.

1-45 SECTION 4. This Act takes effect immediately if it receives
1-46 a vote of two-thirds of all the members elected to each house, as
1-47 provided by Section 39, Article III, Texas Constitution. If this
1-48 Act does not receive the vote necessary for immediate effect, this
1-49 Act takes effect September 1, 2007.

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