

By: Puente

H.B. No. 3773

Substitute the following for H.B. No. 3773:

By: Puente

C.S.H.B. No. 3773

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the provision of water service to an area of land on
3 release of the land from the certificate of public convenience and
4 necessity of a rural water supply corporation.

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

6 SECTION 1. Subchapter B, Chapter 65, Water Code, is amended
7 by adding Section 65.017 to read as follows:

8 Sec. 65.017. CREATION ON RELEASE FROM ANOTHER ENTITY'S
9 SERVICE AREA. (a) Except as provided by Subsection (c), a
10 municipality shall provide water service to a land area:

11 (1) that is composed of one or more contiguous or
12 noncontiguous parcels that together total at least 50 acres in
13 size;

14 (2) that is within the corporate limits or the
15 extraterritorial jurisdiction of the municipality; and

16 (3) for which, on or before the effective date of the
17 Act enacting this section, the owner or owners of the land have
18 entered into a written agreement with a rural water supply
19 corporation to release the land from the service area of the
20 corporation's certificate of public convenience and necessity.

21 (b) This section applies only to land served by a rural
22 water supply corporation that has fewer than 5,000 water
23 connections.

24 (c) If the municipality determines that it cannot meet the

1 current and projected demands for water service to the released
2 land within the time specified by the land's owner or owners:

3 (1) the municipality shall notify the owner or owners
4 of the land of that determination; and

5 (2) a district shall be formed in accordance with this
6 section to provide water service to the land.

7 (d) To create the district, the owner or owners of the
8 released land shall submit a petition to the commission that
9 includes:

10 (1) a copy of the agreement described by Subsection
11 (a)(3);

12 (2) a copy of the notice described by Subsection
13 (c)(1); and

14 (3) the information required under Section 65.015.

15 (e) The commission shall expedite the creation of the
16 district and shall approve the creation of the district not later
17 than the 90th day after the date of receipt of an administratively
18 complete petition to create the district.

19 (f) This section expires September 1, 2011.

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