

1-1 By: Shapleigh S.B. No. 688  
1-2 (In the Senate - Filed February 15, 2007;  
1-3 February 28, 2007, read first time and referred to Committee on  
1-4 Intergovernmental Relations; March 19, 2007, reported adversely,  
1-5 with favorable Committee Substitute by the following vote: Yeas 3,  
1-6 Nays 0; March 19, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 688 By: Patrick

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

1-10 relating to the area served by certain municipal drainage utility  
1-11 systems.

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

1-13 SECTION 1. Subdivision (8), Section 402.044, Local  
1-14 Government Code, is amended to read as follows:

1-15 (8) "Service area" means the municipal boundaries and  
1-16 any other land areas outside the municipal boundaries which, as a  
1-17 result of topography or hydraulics, contribute overland flow into  
1-18 the watersheds served by the drainage system of a municipality;  
1-19 provided, however, that in no event may a service area extend  
1-20 farther than the boundaries of a municipality's current  
1-21 extraterritorial jurisdiction, nor, except as provided by Section  
1-22 402.0451, may a service area of one municipality extend into the  
1-23 boundaries of another municipality. The service area is to be  
1-24 established in the ordinance establishing the drainage utility.  
1-25 Provided, that no municipality shall extend a service area outside  
1-26 of its municipal boundaries except:

1-27 (A) a municipality of more than 500,000 [~~400,000~~]  
1-28 population located in one or more counties of less than 700,000  
1-29 [~~600,000~~] population according to the 2000 [~~most recent~~] federal  
1-30 census;

1-31 (B) a municipality all or part of which is  
1-32 located over or within the Edwards Aquifer recharge zone or the  
1-33 Edwards Aquifer transition zone, as designated by the Texas Natural  
1-34 Resource Conservation Commission; or

1-35 (C) as provided by Section 402.0451.

1-36 SECTION 2. This Act takes effect immediately if it receives  
1-37 a vote of two-thirds of all the members elected to each house, as  
1-38 provided by Section 39, Article III, Texas Constitution. If this  
1-39 Act does not receive the vote necessary for immediate effect, this  
1-40 Act takes effect September 1, 2007.

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