

BILL ANALYSIS

S.B. 1204
By: Hegar
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

S.B. 1204 amends statutes relating to the Bastrop County Water Control and Improvement District No. 2 (district). The district was created by the Bastrop County Commissioners Court in 1985 to provide water service to the residents within the Tahitian Village subdivision of Bastrop County. In 1986, the district was first given the authority to construct and maintain the roads in the Tahitian Village subdivision. The district currently provides water, sewer, and road maintenance and construction services to customers and lot owners within the subdivision. The district operates under the authority provided in Chapter 11001 (Road District Authority of Bastrop County Water Control and Improvement District No. 2), Special District Local Laws Code, under Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III (Legislative Department), Texas Constitution, and Chapters 49 (Provisions Applicable to All Districts) and 51 (Water Control and Improvement Districts), Water Code.

S.B. 1204 amends current law relating to the powers and duties of the district.

RULEMAKING AUTHORITY

It is the Committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 11001.007, Special District Local Laws Code, as follows:

Sec. 11001.007. MONTHLY CHARGES. (a) Authorizes the board of directors of the district (board) by resolution to impose a monthly charge in an amount not to exceed \$15, rather than five dollars, for each developed or undeveloped lot, tract, or reserve in the district.

(a-1) Prohibits the board from increasing the monthly charge for a developed or undeveloped lot, tract, or reserve in the district by more than \$3 in any calendar year. Authorizes the board to grant an exemption to an increase in the monthly charge to the owner of a lot, tract, or reserve in the district who is 65 years of age or older and uses the lot, tract, or reserve as a residence, or has been determined to have a disability by and has written documentation of the disability from the United States Social Security Administration or the United States Department of Veterans Affairs.

(b) Provides that money from the monthly charge may be used only for, rather than must be used for, constructing, maintaining, or repairing public streets or roadways in the district, or purchasing equipment necessary to maintain or repair public streets or roadways in the district. Makes nonsubstantive changes.

(c) Provides that of the money received under Subsection (a) each fiscal year not more than 10 percent may be used for administrative purposes, and not less than 15 percent is required to be used for road maintenance, rather than not more than 15 percent may be used for road maintenance.

SECTION 2. Provides the effective date of this Act.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.