

## **BILL ANALYSIS**

H.B. 3813  
By: Isaac  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The continuing development and growth in Central Texas, including Hays County, has created the need for large-scale, permanent improvements such as water supply and distribution facilities, wastewater collection and treatment facilities, drainage and flood control projects, and major thoroughfare improvements. Certain constitutional provisions provide for the creation of local governmental districts that are authorized to incur indebtedness to provide such permanent improvements and to levy taxes for the maintenance and operation of the improvements and the repayment of the indebtedness. H.B. 3813 seeks to add certain powers to and change the name of an existing district by establishing provisions relating to the Hudson Ranch Fresh Water Supply District No. 1.

### **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**

H.B. 3813 amends the Special District Local Laws Code to change the name of Hudson Ranch Fresh Water Supply District No. 1 to Hudson Ranch Water District and to establish that the district is a fresh water supply district and municipal utility district created under and essential to accomplish the purposes of constitutional provisions relating to conservation and reclamation districts. The bill establishes as findings of public purpose and benefit that all land and other property in the district will benefit from the improvements and services to be provided by the district and that the district serves a public use and benefit. The bill provides for the district territory and makes provision for the effect of certain mistakes in the description of the boundaries.

H.B. 3813 establishes that the district has the powers and duties provided by the general law of the state applicable to fresh water supply districts and municipal utility districts. The bill establishes that if a provision applicable to all water districts or relating to fresh water supply districts is in conflict or inconsistent with the bill's provisions or provisions relating to municipal utility districts, the bill's provisions and the provisions relating to municipal utility districts prevail. The bill sets out in detail the boundaries of the district.

H.B. 3813 validates the creation of the Hudson Ranch Fresh Water Supply District No. 1 by the Hays County Commissioners Court on May 1, 2007, and all elections conducted by the district. The bill establishes that no further election is necessary to confirm the district. The bill makes such validation inapplicable to any matter that on the bill's effective date is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment or any matter that on the bill's effective date has been held invalid by a final court judgment.

H.B. 3813 defines "board," "director," and "district."

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.