

BILL ANALYSIS

S.B. 684
By: Huffman
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Fort Bend County Water Control and Improvement District No. 1 (WCID #1) was created in 1932 by the legislature to provide water, drainage facilities and services, and levees to help alleviate flooding. For over 75 years, WCID #1 has served the residents of WCID #1 and Sugar Land. Those cities once served by WCID #1 have now matured and taken over the role of WCID #1.

The City of Sugar Land has annexed and incorporated approximately 90 percent of the land located within WCID #1's boundaries, and provides all of the water and drainage services to the residents and businesses located in that area. Furthermore, WCID #1 has conveyed to the City of Sugar Land all of its dams, facilities, improvements, easements, and real property used to contain, control, or convey WCID #1's water.

S.B. 684 is a local bill that dissolves WCID #1 and transfers all water rights and duties of WCID #1 to the City of Sugar Land.

S.B. 684 amends current law relating to the transfer of the assets of and the dissolution of the Fort Bend Water Control and Improvement 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

SECTION 1. DEFINITIONS. Defines, in this Act, "city" and "district."

SECTION 2. TRANSFER OF ASSETS AND DISSOLUTION OF DISTRICT. (a) Provides that on the date the city council of the City of Sugar Land (city) passes a resolution accepting the assets, debts, and contractual rights and obligations of the Fort Bend County Water Control and Improvement District No. 1 (district) all assets, debts, and contractual rights and obligations of the district are property of the city, and the district is dissolved.

(b) Provides that on the date of the dissolution of the district, and notwithstanding Section 51.790 (Water Rights of Dissolved District), Water Code, ownership of Certificate of Adjudication No. 11-5170, including any attachments to the certificate, transfers to the city.

(c) Requires the city to notify the Texas Commission on Environmental Quality (TCEQ) of the dissolution of the district and the transfer of Certificate of Adjudication No. 11-5170 to the city.

(d) Requires TCEQ, on receipt of notice under Subsection (c) of this section, to note in its records that Certificate of Adjudication No. 11-5170 is owned by the city. Requires TCEQ, as a ministerial act, to transfer the certificate to the city without further application, notice, or hearing. Provides that a person, party, or entity does not have any right of protest, objection, or administrative review of the transfer prescribed by this Act.

(e) Provides that the transfer of Certificate of Adjudication No. 11-5170 to the city does not affect or impair the priority, extent, validity, or purpose of the certificate.

SECTION 3. Provides that this Act expires September 1, 2013.

SECTION 4. Provides for 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, 2011.