

By: Howard of Fort Bend

H.B. No. 1778

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the transfer of the assets of and the dissolution of the
3 Fort Bend County Water Control and Improvement District No. 1.

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

5 SECTION 1. DEFINITIONS. In this Act:

6 (1) "Board" means the district's board of directors.

7 (2) "City" means the City of Sugar Land.

8 (3) "District" means the Fort Bend County Water
9 Control and Improvement District No. 1.

10 SECTION 2. TRANSFER OF ASSETS. (a) On the effective date
11 of this Act, the district shall transfer the assets, debts, and
12 contractual rights and obligations of the district to the city and
13 provide notices and make recordings of the transfer required by the
14 Water Code and general law.

15 (b) The transfer described by Subsection (a) of this section
16 is subject to the passage by the city's city council of a resolution
17 accepting the transfer and relieving the district of its
18 contractual obligation to provide water to the city.

19 (c) On the date of the dissolution of the district,
20 ownership of Certificate of Adjudication No. 11-5170, including any
21 attachments to the certificate, transfers to the city.

22 SECTION 3. DISSOLUTION. (a) Not later than the 30th day
23 after the effective date of the city's resolution accepting the
24 transfer under this Act, the board shall commence dissolution

1 proceedings of the district.

2 (b) The board shall notify the Texas Commission on
3 Environmental Quality of the dissolution of the district and the
4 transfer of Certificate of Adjudication No. 11-5170 to the city.

5 (c) On receipt of notice under Subsection (b) of this
6 section, the Texas Commission on Environmental Quality shall note
7 in its records that Certificate of Adjudication No. 11-5170 is
8 owned by the city. The Texas Commission on Environmental Quality
9 shall, as a ministerial act, transfer the certificate to the city
10 without further application, notice, or hearing. A person, party,
11 or entity does not have any right of protest, objection, or
12 administrative review of the transfer prescribed by this Act.

13 (d) The transfer of Certificate of Adjudication No. 11-5170
14 to the city does not affect or impair the priority, extent,
15 validity, or purpose of the certificate.

16 SECTION 4. EXPIRATION OF ACT. This Act expires September 1,
17 2013.

18 SECTION 5. EFFECTIVE DATE. This Act takes effect
19 immediately if it receives a vote of two-thirds of all the members
20 elected to each house, as provided by Section 39, Article III, Texas
21 Constitution. If this Act does not receive the vote necessary for
22 immediate effect, this Act takes effect September 1, 2011.