

1-1 By: Workman (Senate Sponsor - Watson) H.B. No. 3743
1-2 (In the Senate - Received from the House May 19, 2011;
1-3 May 19, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 21, 2011, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 3,
1-6 Nays 0; May 21, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3743 By: Nichols

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

1-10 relating to the rights, powers, functions, and duties of the West
1-11 Travis County Municipal Utility District No. 5.

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

1-13 SECTION 1. Section 6, Chapter 1214, Acts of the 71st
1-14 Legislature, Regular Session, 1989, is amended by adding
1-15 Subsections (c) and (d) to read as follows:

1-16 (c) In addition to the rights, powers, privileges,
1-17 authority, functions, and duties under Subsection (a) of this
1-18 section, the district has all of the rights, powers, privileges,
1-19 authority, functions, and duties relating to:

1-20 (1) road districts and road utility districts created
1-21 under Section 52, Article III, Texas Constitution; and

1-22 (2) supply and distribution facilities or systems to
1-23 provide potable and nonpotable water to the residents and
1-24 businesses of Travis and Hays Counties.

1-25 (d) Notwithstanding Subsection (c) of this section, the
1-26 district may not construct, acquire, maintain, or operate a toll
1-27 road.

1-28 SECTION 2. Chapter 1214, Acts of the 71st Legislature,
1-29 Regular Session, 1989, is amended by adding Section 6A to read as
1-30 follows:

1-31 Sec. 6A. LIMITATION ON USE OF EMINENT DOMAIN. The district
1-32 may not exercise the power of eminent domain outside the district to
1-33 acquire a site or easement for:

1-34 (1) a road project authorized by Section 6 of this Act;
1-35 or

1-36 (2) a recreational facility as defined by Section
1-37 49.462, Water Code.

1-38 SECTION 3. (a) The legal notice of the intention to
1-39 introduce this Act, setting forth the general substance of this
1-40 Act, has been published as provided by law, and the notice and a
1-41 copy of this Act have been furnished to all persons, agencies,
1-42 officials, or entities to which they are required to be furnished
1-43 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
1-44 Government Code.

1-45 (b) The governor, one of the required recipients, has
1-46 submitted the notice and Act to the Texas Commission on
1-47 Environmental Quality.

1-48 (c) The Texas Commission on Environmental Quality has filed
1-49 its recommendations relating to this Act with the governor, the
1-50 lieutenant governor, and the speaker of the house of
1-51 representatives within the required time.

1-52 (d) All requirements of the constitution and laws of this
1-53 state and the rules and procedures of the legislature with respect
1-54 to the notice, introduction, and passage of this Act are fulfilled
1-55 and accomplished.

1-56 SECTION 4. This Act takes effect immediately if it receives
1-57 a vote of two-thirds of all the members elected to each house, as
1-58 provided by Section 39, Article III, Texas Constitution. If this
1-59 Act does not receive the vote necessary for immediate effect, this
1-60 Act takes effect September 1, 2011.

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