

1-1 By: Hegar S.B. No. 1225
1-2 (In the Senate - Filed March 7, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 14, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 0; April 14, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1225 By: Hegar

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

1-10 relating to the disannexation of land in Caldwell County by the
1-11 Gonzales County Underground Water Conservation District or the Plum
1-12 Creek Conservation District.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. (a) Not later than the 30th day after the
1-15 effective date of this Act, the board of the Gonzales County
1-16 Underground Water Conservation District and the board of the Plum
1-17 Creek Conservation District shall jointly prepare a form that
1-18 requests disannexation of land located in Caldwell County from the
1-19 territory of the Gonzales County Underground Water Conservation
1-20 District or the Plum Creek Conservation District.

1-21 (b) Not later than the 10th day after the form is prepared,
1-22 the board of the Gonzales County Underground Water District shall
1-23 mail the form to each owner of land that on the effective date of
1-24 this Act is included in the territory of both the Gonzales County
1-25 Underground Water District and the Plum Creek Conservation
1-26 District.

1-27 (c) On receipt of the form, each owner must clearly mark and
1-28 sign the form to indicate from which district the owner wants the
1-29 applicable land to be disannexed. An owner may not elect to have
1-30 land be disannexed by both districts.

1-31 (d) The signed forms must be returned to the board of the
1-32 Gonzales County Underground Water District on or before December
1-33 31, 2011. That board shall send a copy of each form received before
1-34 the deadline to the board of the Plum Creek Conservation District.

1-35 (e) If the owner of land does not comply with Subsection (c)
1-36 of this section before the deadline, the applicable land will be
1-37 disannexed by the Gonzales County Underground Water District.

1-38 (f) As soon as practicable after December 31, 2011, the land
1-39 specified for disannexation by the owners under Subsection (c) of
1-40 this section or subject to disannexation under Subsection (e) of
1-41 this section shall be disannexed by resolution of the board of the
1-42 Gonzales County Underground Water District or the Plum Creek
1-43 Conservation District, as appropriate.

1-44 (g) The board of each district shall file a copy of that
1-45 district's disannexation resolution in the office of the county
1-46 clerk of Caldwell County. The county clerk shall record the
1-47 resolution in the county records. On the date the disannexation
1-48 resolution is recorded, the excluded territory is no longer part of
1-49 the district that filed the resolution.

1-50 SECTION 2. This Act takes effect immediately if it receives
1-51 a vote of two-thirds of all the members elected to each house, as
1-52 provided by Section 39, Article III, Texas Constitution. If this
1-53 Act does not receive the vote necessary for immediate effect, this
1-54 Act takes effect September 1, 2011.

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