

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Workman

H.B. No. 3743

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Section 6, Chapter 1214, Acts of the 71st  
Legislature, Regular Session, 1989, is amended by adding Subsection  
(c) to read as follows:

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

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

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

SECTION 2. (a) The legal notice of the intention to  
introduce this Act, setting forth the general substance of this  
Act, has been published as provided by law, and the notice and a  
copy of this Act have been furnished to all persons, agencies,  
officials, or entities to which they are required to be furnished  
under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
Government Code.

(b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on  
2 Environmental Quality.

3 (c) The Texas Commission on Environmental Quality has filed  
4 its recommendations relating to this Act with the governor, the  
5 lieutenant governor, and the speaker of the house of  
6 representatives within the required time.

7 (d) All requirements of the constitution and laws of this  
8 state and the rules and procedures of the legislature with respect  
9 to the notice, introduction, and passage of this Act are fulfilled  
10 and accomplished.

11 SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2011.

**ADOPTED**

MAY 25 2011

*Atty. Gen.*  
Secretary of the Senate

By: Watson

H.B. No. 3743

Substitute the following for H.B. No. 3743

By: *[Signature]*

C.S. H.B. No. 3743

A BILL TO BE ENTITLED

AN ACT

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

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

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

8 (c) In addition to the rights, powers, privileges,  
9 authority, functions, and duties under Subsection (a) of this  
10 section, the district has all of the rights, powers, privileges,  
11 authority, functions, and duties relating to:

12 (1) road districts and road utility districts created  
13 under Section 52, Article III, Texas Constitution; and

14 (2) supply and distribution facilities or systems to  
15 provide potable and nonpotable water to the residents and  
16 businesses of Travis and Hays Counties.

17 (d) Notwithstanding Subsection (c) of this section, the  
18 district may not construct, acquire, maintain, or operate a toll  
19 road.

20 SECTION 2. Chapter 1214, Acts of the 71st Legislature,  
21 Regular Session, 1989, is amended by adding Section 6A to read  
22 as follows:

23 Sec. 6A. LIMITATION ON USE OF EMINENT DOMAIN. The district  
24 may not exercise the power of eminent domain outside the

1 district to acquire a site or easement for:

2 (1) a road project authorized by Section 6 of this  
3 Act; or

4 (2) a recreational facility as defined by Section  
5 49.462, Water Code.

6 SECTION 3. (a) The legal notice of the intention to  
7 introduce this Act, setting forth the general substance of this  
8 Act, has been published as provided by law, and the notice and a  
9 copy of this Act have been furnished to all persons, agencies,  
10 officials, or entities to which they are required to be  
11 furnished under Section 59, Article XVI, Texas Constitution, and  
12 Chapter 313, Government Code.

13 (b) The governor, one of the required recipients, has  
14 submitted the notice and Act to the Texas Commission on  
15 Environmental Quality.

16 (c) The Texas Commission on Environmental Quality has  
17 filed its recommendations relating to this Act with the  
18 governor, the lieutenant governor, and the speaker of the house  
19 of representatives within the required time.

20 (d) All requirements of the constitution and laws of this  
21 state and the rules and procedures of the legislature with  
22 respect to the notice, introduction, and passage of this Act are  
23 fulfilled and accomplished.

24 SECTION 4. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house,  
26 as provided by Section 39, Article III, Texas Constitution. If  
27 this Act does not receive the vote necessary for immediate

1 effect, this Act takes effect September 1, 2011.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 26, 2011**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB3743** by Workman (Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5. ), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** JOB, KKR, SZ, TP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 21, 2011**

**TO:** Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB3743** by Workman (Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** JOB, KKR, SZ, TP

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 20, 2011**

**TO:** Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB3743** by Workman (Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** JOB, KKR, SZ, TP



**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 9, 2011**

**TO:** Honorable Allan Ritter, Chair, House Committee on Natural Resources

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB3743** by Workman (Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5. ), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** JOB, SZ, TP

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 1, 2011**

**TO:** Honorable Allan Ritter, Chair, House Committee on Natural Resources

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE:** **HB3743** by Workman (Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:**

**LBB Staff:** JOB, SZ, TP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**82ND LEGISLATIVE REGULAR SESSION**

**April 9, 2011**

**TO:** Honorable Allan Ritter, Chair, House Committee on Natural Resources

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE:** **HB3743** by Workman (Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5. ), **Committee Report 1st House, Substituted**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TPWD) and the Texas Commission on Environmental Quality (TCEQ) has determined that:

No Water Development Policy Impact Statement will be prepared for this bill under the provisions of *Texas Constitution*, Article 16, Section 59(d) as this bill does not create a conservation and reclamation district.

**Source Agencies:** 580 Water Development Board

**LBB Staff:** JOB, SZ

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**82ND LEGISLATIVE REGULAR SESSION**

**April 4, 2011**

**TO:** Honorable Allan Ritter, Chair, House Committee on Natural Resources

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB3743** by Workman (Relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TPWD) and the Texas Commission on Environmental Quality (TCEQ) has determined that:

No Water Development Policy Impact Statement will be prepared for this bill under the provisions of *Texas Constitution*, Article 16, Section 59(d) as this bill does not create a conservation and reclamation district.

**Source Agencies:** 580 Water Development Board, 582 Commission on Environmental Quality

**LBB Staff:** JOB, SZ