BILL ANALYSIS

H.B. 3281 By: Ritter Natural Resources Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Legislative Council (TLC) is required in Section 323.007 (Statutory Revision Program) of the Government Code to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate later expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, and improving the draftsmanship of the law, if practicable–all toward promoting the stated purpose of making the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law.

In 1965, TLC adopted a long-range plan of compiling the law into codes arranged by general topics. This bill is the sixth bill in TLC's ongoing project of systematically codifying local laws concerning special districts.

The bill adds chapters to the Special District Local Laws Code, with each chapter representing the local law or laws governing a particular special district.

As proposed, S.B. 1026 amends current law relating to the nonsubstantive revision of certain local laws concerning special districts, including conforming amendments.

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, but does codify authority already delegated by previous law.

ANALYSIS

ARTICLE 1. NONSUBSTANTIVE REVISION OF LOCAL LAWS

SECTION 1.01. Amends Subtitle A, Title 3, Special District Local Laws Code, by adding Chapters 1075, 1076, 1087, 1096, 1107, 1109, 1110, 1112, 1113, 1114, 1115, 1116, and 1117, as follows:

CHAPTER 1075. STAMFORD HOSPITAL DISTRICT (Pages 1-16 of this bill.)

CHAPTER 1076. STARR COUNTY HOSPITAL DISTRICT OF STARR COUNTY, TEXAS (Pages 16-41 of this bill.)

CHAPTER 1087. RANKIN COUNTY HOSPITAL DISTRICT (Pages 41-60 of this bill.)

CHAPTER 1096. SOUTH LIMESTONE HOSPITAL DISTRICT (Pages 60-75 of this bill.)

CHAPTER 1107. TITUS COUNTY HOSPITAL DISTRICT (Pages 75-93 of this bill.)

CHAPTER 1109. TYLER COUNTY HOSPITAL DISTRICT (Pages 93-116 of this bill.)

CHAPTER 1110. VAL VERDE COUNTY HOSPITAL DISTRICT (Pages 116-137 of this bill.)

CHAPTER 1112. WEST COKE COUNTY HOSPITAL DISTRICT (Pages 137-152 of this bill.)

CHAPTER 1113. WILBARGER COUNTY HOSPITAL DISTRICT (Pages 152-167 of this bill.)

CHAPTER 1114. WILLACY COUNTY HOSPITAL DISTRICT (Pages 167-192 of this bill.)

CHAPTER 1115. WILSON COUNTY MEMORIAL HOSPITAL DISTRICT (Pages 192-212 of this bill.)

CHAPTER 1116. WOOD COUNTY CENTRAL HOSPITAL DISTRICT OF WOOD COUNTY, TEXAS (Pages 212-233 of this bill.)

CHAPTER 1117. YOAKUM HOSPITAL DISTRICT (Pages 233-251 of this bill.)

SECTION 1.02. Amends Subtitle E, Title 6, Special District Local Laws Code, by adding Chapters 7803 and 7805, as follows:

CHAPTER 7803. IRVING FLOOD CONTROL DISTRICT SECTION I (Pages 251-275 of this bill.)

CHAPTER 7805. IRVING FLOOD CONTROL DISTRICT SECTION III (Pages 275-280 of this bill.)

SECTION 1.03. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapters 8308, 8312, 8381, 8387, 8388, 8389, 8391, 8393, 8394, 8395, 8396, 8397, 8398, 8399, 8400, 8401, 8402, 8403, 8404, 8405, 8406, 8407, and 8410, as follows:

CHAPTER 8308. EAST MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 4 (Pages 280-284 of this bull.)

CHAPTER 8312. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 387 (Pages 284-287 of this bill.)

CHAPTER 8381. NORTH PARK PUBLIC UTILITY DISTRICT (Pages 287-290 of this bill.)

CHAPTER 8387. NORTHGATE CROSSING MUNICIPAL UTILITY DISTRICT NO.1 (Pages 290-293 of this bill.)

CHAPTER 8388. NORTHGATE CROSSING MUNICIPAL UTILITY DISTRICT NO. 2 (Pages 293-297 of this bill.)

CHAPTER 8389. NORTHWEST FOREST MUNICIPAL UTILITY DISTRICT (Pages 297-299 of this bill.)

CHAPTER 8391. OAKMONT PUBLIC UTILITY DISTRICT (Pages 299-302 of this bill.)

CHAPTER 8393. PINE BOUGH PUBLIC UTILITY DISTRICT

(Pages 303-305 of this bill.)

CHAPTER 8394. PINE VILLAGE PUBLIC UTILITY DISTRICT (Pages 305-307 of this bill.)

CHAPTER 8395. TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3 (Pages 307-311 of this bill.)

CHAPTER 8396. TRAVIS COUNTY MUNICIPAL DISTRICT NO. 4 (Pages 312-316 of this bill.)

CHAPTER 8397. TRAVIS COUNTY MUNICIPAL DISTRICT NO. 5 (Pages 316-320 of this bill.)

CHAPTER 8398. TRAVIS COUNTY MUNICIPAL DISTRICT NO. 6 (Pages 320-324 of this bill.)

CHAPTER 8399. TRAVIS COUNTY MUNICIPAL DISTRICT NO. 7 (Pages 324-328 of this bill.)

CHAPTER 8400. TRAVIS COUNTY MUNICIPAL DISTRICT NO. 8 (Pages 329-333 of this bill.)

CHAPTER 8401. TRAVIS COUNTY MUNICIPAL DISTRICT NO. 9 (Pages 333-337 of this bill.)

CHAPTER 8402. ROLLING CREEK UTILITY DISTRICT (Pages 337-340 of this bill.)

CHAPTER 8403. ROLLING FORK PUBLIC UTILITY DISTRICT (Pages 340-342 of this bill.)

CHAPTER 8404. ROMAN FOREST UTILITY DISTRICT NO. 3 (Pages 342-345 of this bill.)

CHAPTER 8405. ROMAN FOREST PUBLIC UTILITY DISTRICT NO. 4 (Pages 345-347 of this bill.)

CHAPTER 8406. SPRING CREEK FOREST PUBLIC UTILITY DISTRICT (Pages 348-350 of this bill.)

CHAPTER 8407. SPRING CREEK UTILITY DISTRICT (Pages 350-353 of this bill.)

CHAPTER 8410. QUAIL CREEK MUNICIPAL UTILITY DISTRICT (Pages 353-356 of this bill.)

SECTION 1.04. Amends Subtitle G, Title 6, Special District Local Laws Code, by adding Chapters 8504 and 8505, as follows:

CHAPTER 8504. LOWER NECHES VALLEY AUTHORITY (Pages 356-378 of this bill.)

CHAPTER 8505. CENTRAL COLORADO RIVER AUTHORITY (Pages 378-403 of this bill.)

SECTION 1.05. Amends Subtitle H, Title 6, Special District Local Laws Code, by adding Chapters 8847, 8853, 8858, 8861, 8862, 8863, 8864, 8865, 8866, 8867, 8868, 8869, and 8870, as follows:

CHAPTER 8847. PINEYWOODS GROUNDWATER CONSERVATION DISTRICT (Pages 403-410 of this bill.)

CHAPTER 8853. KENEDY COUNTY GROUNDWATER CONSERVATION DISTRICT (Pages 410-414 of this bill.)

CHAPTER 8858. KIMBLE COUNTY GROUNDWATER CONSERVATION DISTRICT (Pages 414-418 of this bill.)

CHAPTER 8861. MENARD COUNTY UNDERGROUND WATER DISTRICT (Pages 418-421 of this bill.)

CHAPTER 8862. MIDDLE TRINITY GROUNDWATER CONSERVATION DISTRICT (Pages 421-427 of this bill.)

CHAPTER 8863. NECHES AND TRINITY VALLEYS GROUNDWATER CONSERVATION DISTRICT (Pages 427-435 of this bill.)

CHAPTER 8864. PECAN VALLEY GROUNDWATER CONSERVATION DISTRICT (Pages 435-439 of this bill.)

CHAPTER 8865. POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT (Pages 439-445 of this bill.)

CHAPTER 8866. MID-EAST TEXAS GROUNDWATER CONSERVATION DISTRICT (Pages 445-452 of this bill.)

CHAPTER 8867. ROLLING PLAINS GROUNDWATER CONSERVATION DISTRICT (Pages 452-457 of this bill.)

CHAPTER 8868. SOUTHEAST TEXAS GROUNDWATER CONSERVATION DISTRICT (Pages 457-464 of this bill.)

CHAPTER 8869. WES-TEX GROUNDWATER CONSERVATION DISTRICT (Pages 464-468 of this bill.)

CHAPTER 8870. TRINITY GLEN ROSE GROUNDWATER CONSERVATION DISTRICT (Pages 468-482 of this bill.)

SECTION 1.06. Amends Subtitle I, Title 6, Special District Local Laws Code, by adding Chapters 9013, 9018, 9019, 9026, 9029, 9032, and 9033, as follows:

CHAPTER 9013. BELL COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 6 (Pages 482-492 of this bill.)

> CHAPTER 9018. BOLING MUNICIPAL WATER DISTRICT (Pages 492-499 of this bill.)

CHAPTER 9019. BROOKSHIRE MUNICIPAL WATER DISTRICT (Pages 499-507 of this bill.)

CHAPTER 9026. CEDAR BAYOU PARK UTILITY DISTRICT (Pages 507-520 of this bill.)

CHAPTER 9029. CLEAR LAKE CITY WATER AUTHORITY (Pages 520-530 of this bill.)

CHAPTER 9032. COKE COUNTY KICKAPOO WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 (Pages 530-539 of this bill.)

CHAPTER 9033. COMMODORE COVE IMPROVEMENT DISTRICT (Pages 539-548 of this bill.)

SECTION 1.07. Amends Subtitle X, Title 6, Special District Local Laws Code, by adding Chapter 11003, as follows:

CHAPTER 11003. MATADOR WATER DISTRICT (Pages 548-573 of this bill.)

ARTICLE 2. CONFORMING AMENDMENTS

SECTION 2.01. Amends Section 1, Chapter 317, Acts of the 59th Legislature, Regular Session, 1965, to make conforming changes.

SECTION 2.02. Amends Section 2, Chapter 18, Acts of the 55th Legislature, 1st Called Session, 1957, to make conforming changes.

SECTION 2.03. Amends Section 1, Chapter 286, Acts of the 54th Legislature, Regular Session, 1955, to make conforming changes.

SECTION 2.04. Amends Section 2, Chapter 17, Acts of the 56th Legislature, 1st Called Session, 1959, to make conforming changes.

ARTICLE 3. REPEALERS

SECTION 3.01. Repealers: (1) Chapter 108, Acts of the 59th Legislature, Regular Session, 1965;

- (2) Sections 2 and 3, Chapter 563, Acts of the 63rd Legislature, Regular Session, 1973;
- (3) Chapter 118, Acts of the 63rd Legislature, Regular Session, 1973;
- (4) Chapter 182, Acts of the 60th Legislature, Regular Session, 1967;
- (5) Chapter 638, Acts of the 61st Legislature, Regular Session, 1969;

(6) Sections 7(b), (c), and (d), Chapter 716, Acts of the 72nd Legislature, Regular Session, 1991;

- (7) Chapter 298, Acts of the 58th Legislature, Regular Session, 1963;
- (8) Sections 2 and 3, Chapter 165, Acts of the 63rd Legislature, Regular Session, 1973;
- (9) Section 2, Chapter 1116, Acts of the 71st Legislature, Regular Session, 1989;
- (10) Chapter 110, Acts of the 58th Legislature, Regular Session, 1963;
- (11) Chapter 658, Acts of the 64th Legislature, Regular Session, 1975;
- (12) Section 2, Chapter 70, Acts of the 72nd Legislature, Regular Session, 1991;
- (13) Chapter 315, Acts of the 58th Legislature, Regular Session, 1963;
- (14) Chapter 6, Acts of the 59th Legislature, Regular Session, 1965;
- (15) Chapter 323, Acts of the 62nd Legislature, Regular Session, 1971;

(16) Sections 7 and 8, Chapter 1117, Acts of the 70th Legislature, Regular Session, 1987;

(17) Chapter 511, Acts of the 65th Legislature, Regular Session, 1977;

- (18) Section 2, Chapter 535, Acts of the 66th Legislature, Regular Session, 1979;
- (19) Section 2, Chapter 18, Acts of the 67th Legislature, Regular Session, 1981;

(20) Chapter 293, Acts of the 60th Legislature, Regular Session, 1967; and

(21) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, Chapter 317, Acts of the 59th Legislature, Regular Session, 1965.

SECTION 3.02. Repealers: (1) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, Chapter 135, Acts of the 62nd Legislature, Regular Session, 1971;

(2) Chapter 1073, Acts of the 68th Legislature, Regular Session, 1983;

(3) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, Chapter 882, Acts of the 78th Legislature, Regular Session, 2003;

(4) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, Chapter 1382, Acts of the 77th Legislature, Regular Session, 2001;

(5) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 696, Acts of the 62nd Legislature, Regular Session, 1971;

(6) Sections 1, 2, 3, 4(b), 5, 6, 7, and 8, Chapter 947, Acts of the 69th Legislature, Regular Session, 1985;

(7) Sections 1, 2, 3, 4(b), 5, 6, 7, and 8, Chapter 764, Acts of the 69th Legislature, Regular Session, 1985;

(8) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 687, Acts of the 65th Legislature, Regular Session, 1977;

(9) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 625, Acts of the 62nd Legislature, Regular Session, 1971;

(10) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 247, Acts of the 62nd Legislature, Regular Session, 1971;

(11) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 650, Acts of the 62nd Legislature, Regular Session, 1971;

(12) Sections 1.01, 1.02, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09, 1.10, 1.11, 1.12, and 1.13, Chapter 791, Acts of the 74th Legislature, Regular Session, 1995;

(13) Sections 2.01, 2.02, 2.04, 2.05, 2.06, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, and 2.13, Chapter 791, Acts of the 74th Legislature, Regular Session, 1995;

(14) Sections 3.01, 3.02, 3.04, 3.05, 3.06, 3.07, 3.08, 3.09, 3.10, 3.11, 3.12, and 3.13, Chapter 791, Acts of the 74th Legislature, Regular Session, 1995;

(15) Sections 4.01, 4.02, 4.04, 4.05, 4.06, 4.07, 4.08, 4.09, 4.10, 4.11, 4.12, and 4.13, Chapter 791, Acts of the 74th Legislature, Regular Session, 1995;

(16) Sections 5.01, 5.02, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10, 5.11, 5.12, and 5.13, Chapter 791, Acts of the 74th Legislature, Regular Session, 1995;

(17) Sections 6.01, 6.02, 6.04, 6.05, 6.06, 6.07, 6.08, 6.09, 6.10, 6.11, 6.12, and 6.13, Chapter 791, Acts of the 74th Legislature, Regular Session, 1995;

(18) Sections 7.01, 7.02, 7.04, 7.05, 7.06, 7.07, 7.08, 7.09, 7.10, 7.11, 7.12, and 7.13, Chapter 791, Acts of the 74th Legislature, Regular Session, 1995;

(19) Section 8.01, Chapter 791, Acts of the 74th Legislature, Regular Session, 1995;

(20) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 662, Acts of the 62nd Legislature, Regular Session, 1971;

(21) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 689, Acts of the 62nd Legislature, Regular Session, 1971;

(22) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 668, Acts of the 62nd Legislature, Regular Session, 1971;

(23) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 669, Acts of the 62nd Legislature, Regular Session, 1971;

(24) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 630, Acts of the 62nd Legislature, Regular Session, 1971;

(25) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 682, Acts of the 62nd Legislature, Regular Session, 1971;

(26) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 865, Acts of the 69th Legislature, Regular Session, 1985;

(27) Chapter 63, Acts of the 43rd Legislature, 1st Called Session, 1933;

(28) Section 2, Chapter 873, Acts of the 71st Legislature, Regular Session, 1989;

(29) Sections 4 and 5, Chapter 1263, Acts of the 75th Legislature, Regular Session, 1997;

(30) Sections 2, 3, 4, and 5, Chapter 115, Acts of the 82nd Legislature, Regular Session, 2011;

(31) Chapter 338, General Laws, Acts of the 44th Legislature, Regular Session, 1935;

(32) Section 14, Article 4, Chapter 484, Acts of the 68th Legislature, Regular Session, 1983;

(33) Sections 3, 4, and 5, Chapter 493, Acts of the 81st Legislature, Regular Session, 2009;

(34) Chapter 1330, Acts of the 77th Legislature, Regular Session, 2001;

(35) Sections 1, 2, 3, 4(f), 5, 6, 7, 8, 9A, 10, 11, 12, 13, and 14, Chapter 1152, Acts of the 78th Legislature, Regular Session, 2003;

(36) Chapter 1162, Acts of the 78th Legislature, Regular Session, 2003;

(37) Section 4, Chapter 893, Acts of the 81st Legislature, Regular Session, 2009;

(38) Part 7, Article 3, Chapter 966, Acts of the 77th Legislature, Regular Session, 2001;

(39) Sections 1, 2, 3, 4, 5, 6, 6A, 7, 8, 9, 10, 12, 13, and 14, Chapter 180, Acts of the 72nd Legislature, Regular Session, 1991;

(40) Chapter 1362, Acts of the 77th Legislature, Regular Session, 2001;

(41) Section 8, Chapter 521, Acts of the 81st Legislature, Regular Session, 2009;

(42) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11, Chapter 1387, Acts of the 77th Legislature, Regular Session, 2001;

- (43) Chapter 1343, Acts of the 77th Legislature, Regular Session, 2001;
- (44) Part 14, Article 3, Chapter 966, Acts of the 77th Legislature, Regular Session, 2001;
- (45) Article 3, Chapter 1307, Acts of the 77th Legislature, Regular Session, 2001;
- (46) Part 15, Article 3, Chapter 966, Acts of the 77th Legislature, Regular Session, 2001;
- (47) Article 4, Chapter 1307, Acts of the 77th Legislature, Regular Session, 2001;
- (48) Chapter 1028, Acts of the 73rd Legislature, Regular Session, 1993;
- (49) Section 7, Chapter 38, Acts of the 77th Legislature, Regular Session, 2001;
- (50) Chapter 384, Acts of the 78th Legislature, Regular Session, 2003;
- (51) Chapter 1473, Acts of the 77th Legislature, Regular Session, 2001;
- (52) Section 3, Chapter 858, Acts of the 79th Legislature, Regular Session, 2005;
- (53) Section 3, Chapter 1088, Acts of the 79th Legislature, Regular Session, 2005;

(54) Sections 1, 2, 3(b), 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, Chapter 1312, Acts of the 77th Legislature, Regular Session, 2001;

- (55) Section 2, Chapter 1322, Acts of the 79th Legislature, Regular Session, 2005;
- (56) Sections 3 and 4, Chapter 381, Acts of the 81st Legislature, Regular Session, 2009;

(57) Sections 1, 3, 4, 5, 5a, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Chapter 18, Acts of the 55th Legislature, 1st Called Session, 1957;

- (58) Section 5, Chapter 300, Acts of the 57th Legislature, Regular Session, 1961;
- (59) Section 2, Chapter 1056, Acts of the 68th Legislature, Regular Session, 1983;

(60) Sections 2, 2A, 3, 4, 4(a), and 5, Chapter 286, Acts of the 54th Legislature, Regular Session, 1955;

- (61) Section 2, Chapter 143, Acts of the 55th Legislature, Regular Session, 1957;
- (62) Chapter 418, Acts of the 52nd Legislature, Regular Session, 1951;
- (63) Section 2, Chapter 186, Acts of the 58th Legislature, Regular Session, 1963;

(64) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25, Chapter 261, Acts of the 61st Legislature, Regular Session, 1969;

(65) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, and 20, Chapter 101, Acts of the 58th Legislature, Regular Session, 1963;

(66) Section 2, Chapter 786, Acts of the 65th Legislature, Regular Session, 1977;

(67) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, Chapter 17, Acts of the 56th Legislature, 1st Called Session, 1959;

(68) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 598, Acts of the 59th Legislature, Regular Session, 1965; and

(69) Chapter 36, Acts of the 64th Legislature, Regular Session, 1975.

ARTICLE 4. GENERAL MATTERS

SECTION 4.01. LEGISLATIVE INTENT OF NO SUBSTANTIVE CHANGE. Provides that this Act is enacted under Section 43 (Revisions of Laws), Article III, Texas Constitution. Provides that this Act is intended as a codification only, and no substantive change in the law is intended by this Act. Provides that this Act does not increase or decrease the territory of any special district of the state as those boundaries exist on the effective date of this Act.

SECTION 4.02. PRESERVATION OF VALIDATION MADE BY PREVIOUS LAW. (a) Provides that the repeal of a law, including a validating law, by this Act does not remove, void, or otherwise affect in any manner a validation under the repealed law. Provides that the validation is preserved and continues to have the same effect that it would have if the law were not repealed.

(b) Provides that Subsection (a) of this section does not diminish the saving provisions prescribed by Section 311.031 (Saving Provisions), Government Code.

SECTION 4.03. Provides for the effective date of this Act.

EFFECTIVE DATE

This Act takes effect April 1, 2015.