

By: J. Davis of Harris

H.B. No. 2987

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain water districts that do not provide water and  
3 sanitary sewer service to certain users in the districts'  
4 territory.

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

6 SECTION 1. Sections 43.0761(a) and (b), Local Government  
7 Code, are amended to read as follows:

8 (a) A district existing on September 1, 1997, that, within  
9 10 years after the date of its creation, has not provided water and  
10 sanitary sewer utility service from its facilities to all household  
11 users in its territory shall:

12 (1) provide water and sanitary sewer utility service  
13 from its facilities to all household users in its territory not  
14 later than September 1, 1998; or

15 (2) for that part of the district for which the  
16 district does not provide water and sanitary sewer utility service,  
17 and for which one or more of a municipality or conservation and  
18 reclamation district created as a governmental agency and body  
19 politic and corporate under Section 59, Article XVI, Texas  
20 Constitution, does provide all or part of those services, provide  
21 for periodic payments, as described by Subsection (b), by the  
22 district to the municipality or governmental agency that provides  
23 the services.

24 (b) Payments made under Subsection (a)(2) are operation and

1 maintenance expenses of the district and shall be made at least  
2 every three months. The total annual amount of the payments may not  
3 exceed the lesser of:

4 (1) the total aggregate annual costs to any [~~cost to~~  
5 ~~the~~] municipality or governmental agency of providing the water and  
6 sanitary sewer utility service, including both capital and  
7 operation and maintenance costs and expenses; or

8 (2) the total annual amount of maintenance and  
9 operation taxes and debt service or bond taxes paid to the district  
10 by the owners of taxable property within the district that receives  
11 water and sanitary sewer utility service from one or more  
12 municipalities or governmental agencies [~~the municipality~~].

13 SECTION 2. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2013.