

By: Kolkhorst

S.B. No. 1051

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the powers and duties of the North Fort Bend Water  
3 Authority.

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

5 SECTION 1. Section 8813.006, Special District Local Laws  
6 Code, is amended by adding Subsection (g) to read as follows:

7 (g) Notwithstanding any provision of this section or other  
8 law, no territory may be annexed into or added to the authority  
9 that, at the time of annexation or addition, is located within the  
10 boundaries of both:

11 (1) another regional water authority created under  
12 Section 59, Article XVI, Texas Constitution; and

13 (2) a subsidence district.

14 SECTION 2. Section 8813.101, Special District Local Laws  
15 Code, is amended by adding Subsection (e) to read as follows:

16 (e) The authority is not a special water authority for  
17 purposes of Chapter 49, Water Code.

18 SECTION 3. Section 8813.104(b), Special District Local Laws  
19 Code, is amended to read as follows:

20 (b) The authority may [~~shall~~] provide each district or  
21 municipality within its boundaries information regarding the share  
22 of the capital costs to be paid by the district or municipality, as  
23 determined by the authority, and may [~~shall~~] provide each district  
24 or municipality the opportunity, in a manner and by a procedure

1 determined by the authority, to fund its share of the capital costs  
2 with proceeds from the sale of bonds or fees and charges collected  
3 by the districts or municipalities. A district or municipality may  
4 use any lawful source of revenue, including bond funds, to pay any  
5 sums due to the authority.

6 SECTION 4. Except as provided by this Act, the North Fort  
7 Bend Water Authority retains all the rights, powers, privileges,  
8 authority, duties, and functions that it had before the effective  
9 date of this Act.

10 SECTION 5. (a) The legislature validates and confirms all  
11 acts and proceedings of the board of directors of the North Fort  
12 Bend Water Authority that were taken before the effective date of  
13 this Act.

14 (b) Subsection (a) of this section does not apply to any  
15 matter that on the effective date of this Act:

16 (1) is involved in litigation if the litigation  
17 ultimately results in the matter being held invalid by a final  
18 judgment of a court; or

19 (2) has been held invalid by a final judgment of a  
20 court.

21 SECTION 6. Section [8813.006\(g\)](#), Special District Local Laws  
22 Code, as added by this Act, applies only to an annexation or  
23 addition of land that is completed on or after the effective date of  
24 this Act. An annexation or addition of land that is completed before  
25 the effective date of this Act is governed by the law in effect on  
26 the date the annexation or addition was completed, and the former  
27 law is continued in effect for that purpose.

1           SECTION 7. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2015.