|  |
| --- |
| BILL ANALYSIS |

|  |
| --- |
| C.S.H.B. 4047 |
| By: Workman |
| Land & Resource Management |
| Committee Report (Substituted) |

|  |
| --- |
| **BACKGROUND AND PURPOSE** Interested stakeholders suggest that additional protections should be provided regarding the municipal annexation of certain special districts. C.S.H.B. 4047 seeks to address these concerns by changing the law regarding the requirements for annexation by a municipality of certain special districts.  |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **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. |
| **ANALYSIS** C.S.H.B. 4047 amends the Special District Local Laws Code to remove the authorization for a municipality to annex the Travis County Municipal Utility District Nos. 3, 4, 5, 6, 7, 8, or 9, respectively, on the earlier of certain dates. The bill instead requires the governing body of a municipality that plans to annex all or part of such a district, or of the Travis County Water Control and Improvement District No. 19, to first adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and to the other districts. The bill requires the respective districts, on receipt of the resolution, to call an election to be held on the next uniform election date on the question of whether the annexation should be authorized. The bill authorizes the municipality to annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation. The bill requires the municipality seeking annexation to pay the costs of the elections. |
| **EFFECTIVE DATE** September 1, 2017. |
| **COMPARISON OF ORIGINAL AND SUBSTITUTE**While C.S.H.B. 4047 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill. |
|

| INTRODUCED | HOUSE COMMITTEE SUBSTITUTE |
| --- | --- |
| SECTION 1. Section 8395.151, Special District Local Laws Code, is amended to read as follows:Sec. 8395.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 4;(2) Travis County Municipal Utility District No. 5;(3) Travis County Municipal Utility District No. 6;(4) Travis County Municipal Utility District No. 7;(5) Travis County Municipal Utility District No. 8; and(6) Travis County Municipal Utility District No. 9.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described by the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. | SECTION 1. Section 8395.151, Special District Local Laws Code, is amended to read as follows:Sec. 8395.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 4;(2) Travis County Municipal Utility District No. 5;(3) Travis County Municipal Utility District No. 6;(4) Travis County Municipal Utility District No. 7;(5) Travis County Municipal Utility District No. 8;(6) Travis County Municipal Utility District No. 9; and(7) Travis County Water Control and Improvement District No. 19.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described by the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. |
| SECTION 2. Section 8396.151, Special District Local Laws Code, is amended to read as follows:Sec. 8396.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 5;(3) Travis County Municipal Utility District No. 6;(4) Travis County Municipal Utility District No. 7;(5) Travis County Municipal Utility District No. 8; and(6) Travis County Municipal Utility District No. 9.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. | SECTION 2. Section 8396.151, Special District Local Laws Code, is amended to read as follows:Sec. 8396.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 5;(3) Travis County Municipal Utility District No. 6;(4) Travis County Municipal Utility District No. 7;(5) Travis County Municipal Utility District No. 8;(6) Travis County Municipal Utility District No. 9; and(7) Travis County Water Control and Improvement District No. 19.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. |
| SECTION 3. Section 8397.151, Special District Local Laws Code, is amended to read as follows:Sec. 8397.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 6;(4) Travis County Municipal Utility District No. 7;(5) Travis County Municipal Utility District No. 8; and(6) Travis County Municipal Utility District No. 9.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. | SECTION 3. Section 8397.151, Special District Local Laws Code, is amended to read as follows:Sec. 8397.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 6;(4) Travis County Municipal Utility District No. 7;(5) Travis County Municipal Utility District No. 8;(6) Travis County Municipal Utility District No. 9; and(7) Travis County Water Control and Improvement District No. 19.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. |
| SECTION 4. Section 8398.151, Special District Local Laws Code, is amended to read as follows:Sec. 8398.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 7;(5) Travis County Municipal Utility District No. 8; and(6) Travis County Municipal Utility District No. 9.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. | SECTION 4. Section 8398.151, Special District Local Laws Code, is amended to read as follows:Sec. 8398.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 7;(5) Travis County Municipal Utility District No. 8;(6) Travis County Municipal Utility District No. 9; and(7) Travis County Water Control and Improvement District No. 19.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. |
| SECTION 5. Section 8399.151, Special District Local Laws Code, is amended to read as follows:Sec. 8399.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 6;(5) Travis County Municipal Utility District No. 8; and(6) Travis County Municipal Utility District No. 9.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. | SECTION 5. Section 8399.151, Special District Local Laws Code, is amended to read as follows:Sec. 8399.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 6;(5) Travis County Municipal Utility District No. 8;(6) Travis County Municipal Utility District No. 9; and(7) Travis County Water Control and Improvement District No. 19.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. |
| SECTION 6. Section 8400.151, Special District Local Laws Code, is amended to read as follows:Sec. 8400.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 6;(5) Travis County Municipal Utility District No. 7; and(6) Travis County Municipal Utility District No. 9.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. | SECTION 6. Section 8400.151, Special District Local Laws Code, is amended to read as follows:Sec. 8400.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 6;(5) Travis County Municipal Utility District No. 7;(6) Travis County Municipal Utility District No. 9; and(7) Travis County Water Control and Improvement District No. 19.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. |
| SECTION 7. Section 8401.151, Special District Local Laws Code, is amended to read as follows:Sec. 8401.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 6;(5) Travis County Municipal Utility District No. 7; and(6) Travis County Municipal Utility District No. 8.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. | SECTION 7. Section 8401.151, Special District Local Laws Code, is amended to read as follows:Sec. 8401.151. ANNEXATION BY MUNICIPALITY. (a) The governing body of a [~~A~~] municipality that plans to [~~may~~] annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 6;(5) Travis County Municipal Utility District No. 7;(6) Travis County Municipal Utility District No. 8; and(7) Travis County Water Control and Improvement District No. 19.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section [~~on the earlier of:~~[~~(1) the installation of 90 percent of all works, improvements, facilities, plants, equipment, and appliances necessary and adequate to:~~[~~(A) provide service to the proposed development within the district;~~[~~(B) accomplish the purposes for which the district was created; and~~[~~(C) exercise the powers provided by general law and this chapter; or~~[~~(2) the 20th anniversary of the date the district was confirmed~~]. |
| No equivalent provision. | SECTION 8. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9073 to read as follows:CHAPTER 9073. TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 19; ANNEXATIONSec. 9073.001. DEFINITION. In this chapter, "district" means the Travis County Water Control and Improvement District No. 19.Sec. 9073.002. ANNEXATION BY MUNICIPALITY. (a) The governing body of a municipality that plans to annex all or part of the district first must adopt a resolution of intention to annex all or part of the district and transmit that resolution to the district and the following districts:(1) Travis County Municipal Utility District No. 3;(2) Travis County Municipal Utility District No. 4;(3) Travis County Municipal Utility District No. 5;(4) Travis County Municipal Utility District No. 6;(5) Travis County Municipal Utility District No. 7;(6) Travis County Municipal Utility District No. 8; and(7) Travis County Municipal Utility District No. 9.(b) On receipt of a resolution described by Subsection (a), the district and each of the districts listed in Subsection (a) shall call an election to be held on the next uniform election date on the question of whether the annexation should be authorized.(c) The municipality may annex the territory described in the resolution only if a majority of the total number of voters voting in all of the districts' elections vote in favor of authorizing the annexation.(d) The municipality seeking annexation shall pay the costs of the elections held under this section. |
| SECTION 8. This Act takes effect September 1, 2017. | SECTION 9. Same as introduced version. |

 |