

By: Gooden

H.B. No. 2825

A BILL TO BE ENTITLED

AN ACT

relating to the dissolution of a levee improvement district by a
commissioners court.

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

SECTION 1. Subchapter I, Chapter 57, Water Code, is amended
by adding Section 57.3295 to read as follows:

Sec. 57.3295. DISSOLUTION OF DISTRICT BY COMMISSIONERS
COURT WITHOUT PETITION. (a) The commissioners court of a county
that contains a portion of the Trinity River may dissolve a district
at any time if the court finds the following:

(1) the district has been dormant for more than five
years;

(2) the physical boundaries of the district cannot be
determined;

(3) the board of directors of the district is not
active, or cannot be determined;

(4) property owners of the district cannot be
determined; or

(5) a levee partially or completely inside the
boundaries of the district has received a rating of unacceptable
from the United States Army Corps of Engineers and the district has
not undertaken, attempted to undertake, or made plans to undertake
reasonable efforts to address the concerns of the United States
Army Corps of Engineers.

1 (b) The commissioners court shall hold a public hearing
2 before voting on a dissolution order. The hearing must be held not
3 later than the seventh day before the date the dissolution order is
4 subject to a vote by the commissioners court.

5 (c) Notice of the public hearing must be published in a
6 regularly circulated newspaper within the county not later than the
7 seventh day before the date the public hearing is scheduled to
8 occur.

9 (d) If the commissioners court votes to dissolve the
10 district, the commissioners court shall appoint the chairman of the
11 board or some other suitable person as trustee to close the affairs
12 of the district without delay, and shall determine the length of the
13 term and the amount of compensation for the trustee.

14 (e) A district may not be dissolved under this section if
15 the district:

16 (1) has any outstanding bonds or other indebtedness
17 until that indebtedness has been repaid or defeased in accordance
18 with the order or resolution authorizing the issuance of the bonds;
19 or

20 (2) has a contractual obligation to pay money until
21 that obligation has been paid fully in accordance with the
22 contract.

23 SECTION 2. The heading to Section 57.322, Water Code, is
24 amended to read as follows:

25 Sec. 57.322. REQUIREMENTS FOR DISSOLVING A DISTRICT BY
26 PETITION.

27 SECTION 3. This Act takes effect September 1, 2017.