

By: Hinojosa
(Herrero)

S.B. No. 1129

Substitute the following for S.B. No. 1129:

By: Morrison

C.S.S.B. No. 1129

A BILL TO BE ENTITLED

AN ACT

relating to franchises granted by navigation districts.

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

SECTION 1. Sections 61.164(b) and (d), Water Code, are amended to read as follows:

(b) No franchise shall be granted for longer than 50 [~~30~~] years nor shall a franchise be granted except on the affirmative vote of a majority of the commissioners at three separate meetings of the commission which meetings may not be closer together than one week. The third meeting at which the commission votes to grant a franchise may not take place before the date the notice required by Subsection (c) is published for the third time.

(d) The franchise shall require the grantee to file a a [~~his or their~~] written acceptance within 30 days after the franchise is finally approved by the commission. Unless the district and the grantee agree on a later date, the effective date of the franchise is the date the grantee files the written acceptance with the commission.

SECTION 2. Section 63.178, Water Code, is amended by amending Subsections (b), (c), and (d) and adding Subsection (c-1) to read as follows:

(b) A franchise may be granted for a period of not more than 50 [~~30~~] years.

(c) Before the franchise is granted, the commission must

1 approve the franchise by a majority vote at three separate meetings
2 held at least one week apart and must publish notice. The third
3 meeting at which the commission votes to grant a franchise may not
4 take place before the date the notice required by this subsection is
5 published for the third time.

6 (c-1) For the purposes of Subsection (c) [~~this subsection~~],
7 notice must be published at the expense of the applicant, once a
8 week for three consecutive weeks in a newspaper published in the
9 district. The notice must consist of:

- 10 (1) the text of the franchise in full; or
11 (2) a descriptive caption stating the purpose of the
12 franchise and the location at which a complete copy of the franchise
13 may be obtained.

14 (d) The franchise shall require the grantee to file a [his]
15 written acceptance within 30 days from the day the franchise is
16 finally approved by the commission. Unless the district and the
17 grantee agree on a later date, the effective date of the franchise
18 is the date the grantee files the written acceptance with the
19 commission.

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