

Suspending limitations on conference committee  
jurisdiction, S.B. No. 2014 (Creighton/Schubert)

By: Creighton

S.R. No. 936

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 85th  
2 Legislature, Regular Session, 2017, That Senate Rule 12.03 be  
3 suspended in part as provided by Senate Rule 12.08 to enable the  
4 conference committee appointed to resolve the differences on Senate  
5 Bill 2014 (the administration of certain water districts) to  
6 consider and take action on the following matter:

7 (1) Senate Rule 12.03(1) is suspended to permit the  
8 committee to amend text not in disagreement in proposed SECTION 5 of  
9 the bill, in amended Section 54.016(a), Water Code, to read as  
10 follows:

11 (a) No land within the corporate limits of a city or within  
12 the extraterritorial jurisdiction of a city, shall be included in a  
13 district unless the city grants its written consent, by resolution  
14 or ordinance, to the inclusion of the land within the district in  
15 accordance with Section 42.042, Local Government Code, and this  
16 section. The request to a city for its written consent to the  
17 creation of a district, shall be signed by a majority in value of  
18 the holders of title of the land within the proposed district as  
19 indicated by the county tax rolls [~~or, if there are more than 50~~  
20 ~~persons holding title to the land in the proposed district as~~  
21 ~~indicated by the county tax rolls, the request to the city will be~~  
22 ~~sufficient if it is signed by 50 holders of title to the land in the~~  
23 ~~district~~]. A petition for the written consent of a city to the  
24 inclusion of land within a district shall describe the boundaries

1 of the land to be included in the district by metes and bounds or by  
2 lot and block number, if there is a recorded map or plat and survey  
3 of the area, and state the general nature of the work proposed to be  
4 done, the necessity for the work, and the cost of the project as  
5 then estimated by those filing the petition. If, at the time a  
6 petition is filed with a city for creation of a district, the  
7 district proposes to connect to a city's water or sewer system or  
8 proposes to contract with a regional water and wastewater provider  
9 which has been designated as such by the commission as of the date  
10 such petition is filed, to which the city has made a capital  
11 contribution for the water and wastewater facilities serving the  
12 area, the proposed district shall be designated as a "city service  
13 district." If such proposed district does not meet the criteria for  
14 a city service district at the time the petition seeking creation is  
15 filed, such district shall be designated as a "noncity service  
16 district." The city's consent shall not place any restrictions or  
17 conditions on the creation of a noncity service district as defined  
18 by this chapter [~~Chapter 54 of the Texas Water Code~~] other than  
19 those expressly provided in Subsection (e) of this section and  
20 shall specifically not limit the amounts of the district's bonds. A  
21 city may not require annexation as a consent to creation of any  
22 district. A city shall not refuse to approve a district bond issue  
23 for any reason except that the district is not in compliance with  
24 valid consent requirements applicable to the district. If a city  
25 grants its written consent without the concurrence of the applicant  
26 to the creation of a noncity service district containing conditions  
27 or restrictions that the petitioning land owner or owners

1 reasonably believe exceed the city's powers, such land owner or  
2 owners may petition the commission to create the district and to  
3 modify the conditions and restrictions of the city's consent. The  
4 commission may declare any provision of the consent to be null and  
5 void. The commission may approve the creation of a district that  
6 includes any portion of the land covered by the city's consent to  
7 creation of the district. The legislature may create and may  
8 validate the creation of a district that includes any portion of the  
9 land covered by the city's consent to the creation of the district.

10 Explanation: The change is necessary to clarify that a  
11 request to a city for its written consent to the inclusion of land  
12 within a district in accordance with Section 42.042, Local  
13 Government Code, shall be signed by a majority in value of the  
14 holders of title of the land within the proposed district as  
15 indicated by the county tax rolls.

16 (2) Senate Rule 12.03(4) is suspended to permit the  
17 committee to add text on a matter not included in either the house  
18 or senate version of the bill by adding proposed SECTIONS 3 and 4 to  
19 the bill to read as follows:

20 SECTION 3. Section 49.302(b), Water Code, is amended to  
21 read as follows:

22 (b) A petition requesting the annexation of a defined area  
23 signed by a majority in value of the owners of land in the defined  
24 area, as shown by the tax rolls of the central appraisal district of  
25 the county or counties in which such area is located, [~~or signed by~~  
26 ~~50 landowners if the number of landowners is more than 50,~~] shall  
27 describe the land by metes and bounds or by lot and block number if

1 there is a recorded plat of the area and shall be filed with the  
2 secretary of the board.

3 SECTION 4. Section 54.014, Water Code, is amended to read as  
4 follows:

5 Sec. 54.014. PETITION. When it is proposed to create a  
6 district, a petition requesting creation shall be filed with the  
7 commission. The petition shall be signed by a majority in value of  
8 the holders of title of the land within the proposed district, as  
9 indicated by the tax rolls of the central appraisal district. [~~If  
10 there are more than 50 persons holding title to the land in the  
11 proposed district, as indicated by the tax rolls of the central  
12 appraisal district, the petition is sufficient if it is signed by 50  
13 holders of title to the land.~~]

14 Explanation: The change is necessary to change the petition  
15 requirements for creation of or annexation of land to certain  
16 special purpose districts.