

By: King of Uvalde

H.B. No. 2215

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the powers and duties of the Texas Commission on  
3 Environmental Quality regarding the approval of conservation and  
4 reclamation district petitions.

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

6 SECTION 1. Section 49.321, Water Code, is amended to read as  
7 follows:

8 Sec. 49.321. DISSOLUTION AUTHORITY. After notice [~~and~~  
9 ~~hearing~~], the commission may dissolve any district that is inactive  
10 for a period of five consecutive years and has no outstanding bonded  
11 indebtedness.

12 SECTION 2. Section 49.324, Water Code, is amended to read as  
13 follows:

14 Sec. 49.324. ORDER OF DISSOLUTION. The commission may  
15 enter an order dissolving the district [~~at the conclusion of the~~  
16 ~~hearing~~] if it finds that the district has performed none of the  
17 functions for which it was created for a period of five consecutive  
18 years [~~before the day of the proceeding~~] and that the district has  
19 no outstanding bonded indebtedness.

20 SECTION 3. Section 54.030(b), Water Code, is amended to  
21 read as follows:

22 (b) The governing body of a district which desires to  
23 convert into a district operating under this chapter shall adopt  
24 and enter in the minutes of the governing body a resolution

1 declaring that in its judgment, conversion into a municipal utility  
2 district operating under this chapter and under Article XVI,  
3 Section 59, of the Texas Constitution, would serve the best  
4 interest of the district and would be a benefit to the land and  
5 property included in the district. The resolution shall also  
6 request ~~[the commission to hold a hearing on the question]~~ approval  
7 of the conversion of the district.

8 SECTION 4. Section 54.032, Water Code, is amended to read as  
9 follows:

10 Sec. 54.032. CONVERSION OF DISTRICT: NOTICE. (a) Notice of  
11 the conversion ~~[hearing]~~ shall be given by publishing notice in a  
12 newspaper with general circulation in the county or counties in  
13 which the district is located.

14 (b) The notice shall be published once a week for two  
15 consecutive weeks ~~[with the first publication to be made not less~~  
16 ~~than 14 full days before the time set for the hearing]~~.

17 (c) The notice shall:

18 (1) ~~[state the time and place of the hearing,]~~

19 ~~[(2)]~~ set out the resolution adopted by the district  
20 in full; and

21 (2) ~~[(3)]~~ notify all interested persons how they may  
22 offer comments ~~[to appear and offer testimony]~~ for or against the  
23 proposal contained in the resolution.

24 SECTION 5. Section 54.033(a), Water Code, is amended to  
25 read as follows:

26 Sec. 54.033. CONVERSION OF DISTRICT; FINDINGS. (a) If  
27 ~~[After a hearing, if]~~ the commission finds that conversion of the

1 district into one operating under this chapter would serve the best  
2 interest of the district and would be a benefit to the land and  
3 property included in the district, it shall enter an order making  
4 this finding and the district shall become a district operating  
5 under this chapter and no confirmation election shall be required.

6 SECTION 6. Water Code Sections [49.322](#) and [54.031](#) are  
7 repealed.

8 SECTION 7. This Act takes effect September 1, 2019.