

By: Biedermann

H.B. No. 2590

A BILL TO BE ENTITLED

AN ACT

relating to the administration, powers, and duties of a municipal utility district.

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

SECTION 1. Section 54.021(e), Water Code, is amended to read as follows:

(e) A copy of the order of the commission granting or denying a petition shall be mailed to:

(1) each city having extraterritorial jurisdiction in the county or counties in which the district is or is proposed to be located who requested a hearing under Section 49.011; and

(2) each state senator and representative who represent the area in which the district is or is proposed to be located.

SECTION 2. Section 54.022, Water Code, is amended to read as follows:

Sec. 54.022. TEMPORARY DIRECTORS. (a) If the commission grants the petition, it shall appoint five temporary directors to serve until permanent directors are elected.

(b) A majority of temporary directors appointed under Subsection (a) must be residents of the county in which the district is located.

SECTION 3. Section 54.030, Water Code, is amended by adding Subsection (c-1) to read as follows:

1 (c-1) The governing body of a district described by
2 Subsection (b) shall, at the time a copy of the resolution is filed
3 with the commission under Subsection (c), send by mail to property
4 owners in the district written notice of legal proceedings, if any,
5 pending against the converting district. The converting district
6 biannually until final resolution of the legal proceedings shall
7 send by mail to property owners in the converting district written
8 notice of the status of the proceedings. As soon as practicable
9 after the final resolution of the legal proceedings, the district
10 shall send by mail to the property owners in the converting district
11 written notice of the resolution.

12 SECTION 4. Section 54.032(a), Water Code, is amended to
13 read as follows:

14 (a) Notice of the conversion hearing shall be given by:
15 (1) publishing notice in a newspaper with general
16 circulation in the county or counties in which the district is
17 located; and
18 (2) sending by mail written notice to landowners who
19 own property adjacent to the boundaries of the district.

20 SECTION 5. Section 54.209, Water Code, is amended to read as
21 follows:

22 Sec. 54.209. LIMITATION ON USE OF EMINENT DOMAIN. A
23 district may not exercise the power of eminent domain outside the
24 district boundaries to acquire:

25 (1) a site for a water treatment plant, water storage
26 facility, wastewater treatment plant, or wastewater disposal plant
27 or a site or easement to discharge treated water or wastewater

1 effluent;

2 (2) a site for a park, swimming pool, or other
3 recreational facility, as defined by Section 49.462;

4 (3) an exclusive easement through a county regional
5 park; or

6 (4) a site or easement for a road project.

7 SECTION 6. Section 54.022, Water Code, as amended by this
8 Act, does not affect the entitlement of a temporary director
9 serving on the board of directors of a municipal utility district
10 under Chapter 54, Water Code, immediately before the effective date
11 of this Act to continue to serve as a temporary director for the
12 remainder of the director's term.

13 SECTION 7. Sections 54.030 and 54.032, Water Code, as
14 amended by this Act, apply only to a resolution declaring a water
15 district's conversion into a municipal utility district operating
16 under Chapter 54, Water Code, adopted on or after the effective date
17 of this Act. A resolution adopted before the effective date of this
18 Act is governed by the law in effect on the date the resolution was
19 adopted, and the former law is continued in effect for that purpose.

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