

By: Lucio

S.B. No. 1810

A BILL TO BE ENTITLED

AN ACT

relating to the conversion or dissolution of certain conservation and reclamation districts.

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

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

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

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

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

SECTION 3. Section 49.326(a), Water Code, is amended to read as follows:

(a) Appeals from an [~~a commission~~] order dissolving a district shall be filed and heard in the district court of any of the counties in which the land is located.

1 SECTION 4. Section 54.030(b), Water Code, is amended to
2 read as follows:

3 (b) The governing body of a district which desires to
4 convert into a district operating under this chapter shall adopt
5 and enter in the minutes of the governing body a resolution
6 declaring that in its judgment, conversion into a municipal utility
7 district operating under this chapter and under Article XVI,
8 Section 59, of the Texas Constitution, would serve the best
9 interest of the district and would be a benefit to the land and
10 property included in the district. The resolution shall also
11 request that the commission approve [~~to hold a hearing on the~~
12 ~~question of~~] the conversion of the district.

13 SECTION 5. Section 54.032, Water Code, is amended to read as
14 follows:

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

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

22 (c) The notice shall:

23 (1) [~~state the time and place of the hearing,~~
24 [~~2~~] set out the resolution adopted by the district
25 in full; and

26 (2) [~~3~~] notify all interested persons how they may
27 offer comments [~~to appear and offer testimony~~] for or against the

1 proposal contained in the resolution.

2 SECTION 6. Section 54.033, Water Code, is amended to read as
3 follows:

4 Sec. 54.033. CONVERSION OF DISTRICT; FINDINGS. (a) If
5 [~~After a hearing, if~~] the commission or the executive director
6 finds that conversion of the district into one operating under this
7 chapter would serve the best interest of the district and would be a
8 benefit to the land and property included in the district, the
9 commission or executive director [~~it~~] shall enter an order making
10 this finding and the district shall become a district operating
11 under this chapter and no confirmation election shall be required.

12 (b) If the commission or the executive director finds that
13 the conversion of the district would not serve the best interest of
14 the district and would not be a benefit to the land and property
15 included in the district, the commission or executive director [~~it~~]
16 shall enter an order against conversion of the district into one
17 operating under this chapter.

18 (c) The findings of the commission or the executive director
19 entered under this section shall be subject to appeal or review
20 within 30 days after entry of the order [~~of the commission~~] granting
21 or denying the conversion.

22 (d) A copy of the [~~commission~~] order converting a district
23 shall be filed in the deed records of the county or counties in
24 which the district is located.

25 SECTION 7. Sections 49.322 and 54.031, Water Code, are
26 repealed.

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