

By: Creighton

S.B. No. 1959

A BILL TO BE ENTITLED

AN ACT

1  
2 Relating to the provision of parks and recreational facilities by  
3 water districts.

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

5 SECTION 1. Section 49.4645(a), Water Code, is amended to  
6 read as follows:

7 (a) A district all or part of which is located in Bastrop  
8 County, Bexar County, Waller County, Travis County, Williamson  
9 County, Harris County, Galveston County, Brazoria County,  
10 Montgomery County, or Fort Bend County may issue bonds supported by  
11 ad valorem taxes to pay for the development and maintenance of  
12 recreational facilities only if the bonds are authorized by a  
13 majority vote of the voters of the district voting in an election  
14 held for that purpose. Except for a district that is exempt from the  
15 commission rule requiring developer cost participation in district  
16 construction projects or for bonds supported by contract taxes  
17 under Section 49.108, the [The] outstanding principal amount of  
18 bonds, notes, and other obligations issued to finance parks and  
19 recreational facilities supported by ad valorem taxes may not  
20 exceed an amount equal to one percent of the value of the taxable  
21 property in the district [~~or, if supported by contract taxes under~~  
22 ~~Section 49.108, may not exceed an amount equal to one percent of the~~  
23 ~~value of the taxable property in the districts making payments~~  
24 ~~under the contract]~~ as shown by the tax rolls of the central

1 appraisal district at the time of the issuance of the bonds, notes,  
2 and other obligations or an amount greater than the estimated cost  
3 provided in the park plan under Subsection (b), whichever is  
4 smaller. To establish the value of the taxable property in a  
5 district under this section, the district may use an estimate of the  
6 value provided by the central appraisal district. The district may  
7 not issue bonds supported by ad valorem taxes to pay for the  
8 development and maintenance of:

9 (1) indoor or outdoor swimming pools; or

10 (2) golf courses.

11 SECTION 2. Section 54.016(e), Water Code, is amended to  
12 read as follows:

13 (e) A city may provide in its written consent to the  
14 inclusion of land in a district, that the district construct all  
15 facilities to serve the land in accordance with plans and  
16 specifications which have been approved by the city. The city may  
17 also provide in its written consent that the city shall have the  
18 right to inspect all facilities being constructed by a district.  
19 The city's consent to the inclusion of land in the district may also  
20 contain restrictions on the terms and provisions of the district's  
21 bonds and notes issued to provide service to the land and conditions  
22 on the sale of the district's bonds and notes if the restrictions  
23 and conditions do not generally render the bonds and notes of  
24 districts in the city's extraterritorial jurisdiction  
25 unmarketable. The city's consent to the inclusion of land in a  
26 district may restrict the purposes for which a district may issue  
27 bonds to those [the] purposes authorized by law for the district [of

1 ~~the purchase, construction, acquisition, repair, extension and~~  
2 ~~improvement of land, easements, works, improvements, facilities,~~  
3 ~~plants, equipment and appliances necessary to:~~

4 ~~(1) provide a water supply for municipal uses,~~  
5 ~~domestic uses and commercial purposes;~~

6 ~~(2) collect, transport, process, dispose of and~~  
7 ~~control all domestic, industrial or communal wastes whether in~~  
8 ~~fluid, solid or composite state; and~~

9 ~~(3) gather, conduct, divert and control local storm~~  
10 ~~water or other local harmful excesses of water in the district and~~  
11 ~~the payment of organization expenses, operation expenses during~~  
12 ~~construction and interest during construction].~~

13 SECTION 3. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2021.