

Amend CSHB 2815 (senate committee report) as follows:

(1) In SECTION 25 of the bill, in the repealer, insert the following appropriately numbered subdivisions:

() Sections 49.452(b), (c), (d), and (e), Water Code;

() Sections 49.455(f) and (h), Water Code;

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 49.452, Water Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) In this section, "district" means a district:

(1) governed by Chapter 375, Local Government Code; or

(2) [~~(1) Any person who proposes to sell or convey real property located in a district~~] created under this title or by a special Act of the legislature that:

(A) is providing or proposing to provide, as the district's principal function, water, sanitary sewer, drainage, and flood control or protection facilities or services, or any of these facilities or services that have been financed or are proposed to be financed with bonds of the district payable in whole or part from taxes of the district, or by imposition of a standby fee, if any, to household or commercial users, other than agricultural, irrigation, or industrial users;[~~r~~] and

(B) [~~which district~~] includes less than all the territory in at least one county and which, if located within the corporate area of a city, includes less than 75 percent of the incorporated area of the city or which is located outside the corporate area of a city in whole or in substantial part[~~, must first give to the purchaser the written notice provided in this section~~].

(a-1) A person who proposes to sell or convey real property located in a district must give to the purchaser the written notice as provided by this section and Section 49.4521.

(a-2) [~~(2)~~] The provisions of this section are [~~shall~~] not [~~be~~] applicable to:

(1) [~~(A)~~] transfers of title under any type of lien foreclosure;

(2) [~~(B)~~] transfers of title by deed in cancellation of indebtedness secured by a lien upon the property conveyed;

(3) [~~(C)~~] transfers of title by reason of a will or probate proceedings; [~~or~~]

(4) [~~(D)~~] transfers of title to a governmental entity;
or

(5) transfers of title for the purpose of qualifying a director.

SECTION _____. Subchapter M, Chapter 49, Water Code, is amended by adding Section 49.4521 to read as follows:

Sec. 49.4521. PRESCRIBED NOTICE TO PURCHASERS. (a) A notice to a purchaser provided under Section 49.452 must include:

(1) a title caption in at least a 24-point, bold font stating "NOTICE TO PURCHASER OF SPECIAL TAXING OR ASSESSMENT DISTRICT"; and

(2) the following statements, as applicable to the district:

(A) "The real property that you are about to purchase is located in the (insert name of district) and may be subject to district taxes or assessments.";

(B) "The district may, subject to voter approval, impose taxes and issue bonds. The district may impose an unlimited rate of tax in payment of such bonds.";

(C) one of the following, as applicable:

(i) "The current rate of the district property tax is (insert current property tax rate) on each \$100 of assessed valuation."; or

(ii) "The district has not yet imposed taxes. The projected rate of the district property tax is (insert projected property tax rate) on each \$100 of assessed valuation.";

(D) "The district may impose assessments and issue bonds and impose an assessment in payment of such bonds.";

(E) one of the following, as applicable:

(i) "The rate of the district assessment is (insert current assessment amount) on each \$100 of assessed valuation.";

(ii) "The amount of the district assessment

on the real property that you are about to purchase is (insert current assessment amount)."; or

(iii) "The district has not yet imposed an assessment, but the projected (insert "rate" or "amount", as applicable) of the assessment is (insert projected assessment rate or amount, as applicable).";

(F) "The total amounts of bonds payable wholly or partly from (insert "property taxes" or "assessments", as applicable) (insert ", excluding refunding bonds that are separately approved by the voters" or ", excluding any bonds or any portions of bonds issued that are payable solely from revenues received or expected to be received under a contract with a governmental entity", as applicable), approved by the voters are:

(i) \$(insert amount) for water, sewer, and drainage facilities;

(ii) \$(insert amount) for road facilities;

(iii) \$(insert amount) for parks and recreational facilities; and

(iv) \$(insert amount) for (description of additional facilities, as applicable).";

(G) "The aggregate initial principal amounts of all such bonds issued are:

(i) \$(insert amount) for water, sewer, and drainage facilities;

(ii) \$(insert amount) for road facilities;

(iii) \$(insert amount) for parks and recreational facilities; and

(iv) \$(insert amount) for (description of additional facilities, as applicable).";

(H) "The district sought and obtained approval of the Texas Commission on Environmental Quality to adopt and impose a standby fee. The amount of the standby fee is \$(insert amount of standby fee). An unpaid standby fee is a personal obligation of the person that owned the property at the time of imposition and is secured by a lien on the property. Any person may request a certificate from the district stating the amount, if any, of unpaid standby fees on a tract of property in the district.";

(I) if applicable, one of the following:

(i) "The district is located wholly or partly in the extraterritorial jurisdiction of the City of (insert name of the municipality). Texas law governs the ability of a municipality to annex property in the municipality's extraterritorial jurisdiction and whether a district that is annexed by the municipality is dissolved."; or

(ii) "The district is located wholly or partly within the corporate boundaries of the City of (insert name of the municipality). The municipality and the district overlap, but may not provide duplicate services or improvements. Property located in the municipality and the district is subject to taxation by the municipality and the district.";

(J) "The district has entered into a strategic partnership agreement with the City of (insert name of the municipality). This agreement may address the timeframe, process, and procedures for the municipal annexation of the area of the district located in the municipality's extraterritorial jurisdiction.";

(K) "The purpose of the district is to provide (insert water, sewer, drainage, flood control, firefighting, road, parks and recreational, or other type of facilities or services, as applicable) facilities and services. The cost of district facilities is not included in the purchase price of your property.";

(L) "PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ANNUALLY ESTABLISHES TAX RATES. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM."; and

(M) "The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of the real property or at closing of purchase of the real property.".

(b) The district shall omit or edit for accuracy statements not applicable to the district, as determined by the district.

(c) The notice must be dated and executed by the seller and the purchaser.

(d) If the law is amended and causes inaccuracies in the content of the notice, the district shall revise the content of the notice to accurately reflect current law.

SECTION _____. Section 49.453, Water Code, is amended by adding Subsection (e) to read as follows:

(e) A district required to maintain an Internet website or have access to a generally accessible Internet website under Section 26.18, Tax Code, shall post or create a process for posting the district's notice to purchasers under Section 49.4521 on the applicable Internet website.

SECTION _____. Section 49.455(c), Water Code, is amended to read as follows:

(c) The information form [~~and map or plat~~] required by this section shall be signed by a majority of the members of the board and by each such officer affirmed and acknowledged before it is filed with the county clerk, and each amendment made to an information form [~~or map~~] shall also be signed by the members of the board and by each such officer affirmed and acknowledged before it is filed with the county clerk.

SECTION _____. Section 3919.205(d), Special District Local Laws Code, is amended to read as follows:

(d) The district shall generate and implement a program to provide notice modeled on the notice described by Section 49.4521 [~~49.452(c)~~], Water Code, to a prospective purchaser of property in the district of the assessments that have been approved and are imposed by the district.

SECTION _____. (a) Section 49.452, Water Code, as amended by this Act, and Section 49.4521, Water Code, as added by this Act, apply only to notice given to a purchaser of real property within a water district on or after the effective date of this Act. Notice given to a purchaser before the effective date is governed by the law in effect at the time the notice was given, and that law is continued in effect for that purpose.

(b) Section 49.455, Water Code, as amended by this Act, applies only to an information form filed on or after the effective

date of this Act. An information form filed before the effective date of this Act is governed by the law in effect on the date the form was filed, and that law is continued in effect for that purpose.