

By: Muñoz, Jr.

H.B. No. 2830

A BILL TO BE ENTITLED

AN ACT

relating to nonirrigable land in irrigation districts.

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

SECTION 1. Section 58.305, Water Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The board by order shall allocate a portion of the estimated maintenance and operating expenses that shall be paid by assessment against all land in the district to which the district can furnish irrigation water through its water delivery system or through an extension of its water delivery system. This assessment shall be levied against all irrigable land in the district on a per acre basis, whether or not the land is actually irrigated, except as provided by Subsection (a-1).

(a-1) An assessment under this section may not be levied against land that is not being irrigated because:

(1) the land is not irrigable;

(2) the owners of a majority of the acreage of the land no longer intend to irrigate the land;

(3) the land has been subdivided into town lots, town lots and blocks, or small parcels having the same general nature of town lots, including lots and blocks designed, intended, or suitable for a residential, commercial, or other nonagricultural purpose; or

1 (4) the land is located on subdivided land and is:

2 (A) designated as a street, alley, parkway, or
3 park; or

4 (B) a railroad property or right-of-way.

5 SECTION 2. Section 58.731, Water Code, is amended to read as
6 follows:

7 Sec. 58.731. EXCLUSION OF CERTAIN NONIRRIGATED LAND. The
8 board shall ~~may~~ exclude from the district land that is not being
9 irrigated as provided by Sections 51.759 through 51.766. This
10 section applies only to land that is eligible for exclusion under
11 Section 51.759.

12 SECTION 3. This Act takes effect September 1, 2023.