

By: Guillen

H.B. No. 5308

A BILL TO BE ENTITLED

AN ACT

relating to the dissolution of the McMullen County Water Control
and Improvement District No. 1.

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

SECTION 1. On the effective date of this Act:

(1) the McMullen County Water Control and Improvement
District No. 1 is dissolved;

(2) the terms of the directors of the district expire;

(3) any assets and liabilities of the district are
transferred to McMullen County; and

(4) McMullen County may, in all respects, conduct the
affairs of the district.

SECTION 2. (a) As soon as practicable, the McMullen County
judge shall appoint a trustee to close the affairs of the district
as a result of the dissolution.

(b) The trustee has the same rights and responsibilities as
the board of the district for the purposes of carrying out the
winding up of the district.

(c) The trustee and the McMullen County judge shall enter
into an agreement to provide for the payment of the trustee for
services rendered under this Act.

(d) The trustee shall:

(1) wind up the business or affairs of the district;

(2) sell or otherwise dispose of the real or personal

1 property of the district and distribute the proceeds to the
2 creditors of the district and, if all creditors have been
3 satisfied, to McMullen County;

4 (3) take any other action necessary to prepare for the
5 dissolution of the district, including the filing of any
6 dissolution documents with the Texas Commission on Environmental
7 Quality; and

8 (4) deliver a report of the actions taken under this
9 Act to the McMullen County judge at the conclusion of the trustee's
10 duties.

11 SECTION 3. (a) The legal notice of the intention to
12 introduce this Act, setting forth the general substance of this
13 Act, has been published as provided by law, and the notice and a
14 copy of this Act have been furnished to all persons, agencies,
15 officials, or entities to which they are required to be furnished
16 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
17 Government Code.

18 (b) The governor, one of the required recipients, has
19 submitted the notice and Act to the Texas Commission on
20 Environmental Quality.

21 (c) The Texas Commission on Environmental Quality has filed
22 its recommendations relating to this Act with the governor, the
23 lieutenant governor, and the speaker of the house of
24 representatives within the required time.

25 (d) All requirements of the constitution and laws of this
26 state and the rules and procedures of the legislature with respect
27 to the notice, introduction, and passage of this Act are fulfilled

1 and accomplished.

2 SECTION 4. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2023.