

By: Nichols

S.B. No. 1305

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the transfer of the ownership rights of the City of
3 Nacogdoches in the Central Heights Water System to the Angelina and
4 Neches River Authority.

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

6 SECTION 1. DEFINITIONS. In this Act:

7 (1) "Authority" means the Angelina and Neches River
8 Authority.

9 (2) "City" means the City of Nacogdoches.

10 SECTION 2. TRANSFER OF WATER SYSTEM. (a) Notwithstanding
11 Section [1502.055](#), Government Code, not later than 180 days from the
12 effective date of this Act, the city shall enter into a contract
13 with the authority to transfer the city's ownership interests in
14 the Central Heights Water System that is north of the intersection
15 of U.S. Highway 59 and U.S. Highway 259 to the authority, including
16 the assets and service area portion of the city's water system.

17 (b) On the date of execution of the contract under
18 Subsection (a):

19 (1) the geographic territory of the Central Heights
20 Water System shall be incorporated into the authority's certificate
21 of convenience and necessity; and

22 (2) all real property, easements, appurtenances,
23 conveyance systems, transmission and treatment systems, designated
24 rights-of-way, and other property interests of the city related to

1 the Central Heights Water System are transferred to the authority
2 unless specifically reserved to the city in the contract agreed to
3 under Subsection (a).

4 (c) Following the transfer under Subsection (b), the
5 governing body of the city shall notify the Texas Commission on
6 Environmental Quality of the transfer of the Central Heights Water
7 System to the authority.

8 (d) On receipt of notice under Subsection (c), the Texas
9 Commission on Environmental Quality shall note the transfer of the
10 Central Heights Water System to the authority in its records. A
11 person, party, or entity does not have any right of protest,
12 objection, or administrative review of the transfer described by
13 this Act.

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