

AN ACT

relating to the transfer of the ownership rights of the City of Nacogdoches in the Central Heights Water System to the Angelina and Neches River Authority.

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

SECTION 1. DEFINITIONS. In this Act:

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

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

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

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

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

(2) all real property, easements, appurtenances, conveyance systems, transmission and treatment systems, designated 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.

S.B. No. 1305

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1305 passed the Senate on April 12, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1305 passed the House on April 28, 2023, by the following vote: Yeas 128, Nays 16, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor