

By: Hall  
(Bell of Kaufman)

S.B. No. 2192

Substitute the following for S.B. No. 2192:

By: Burns

C.S.S.B. No. 2192

A BILL TO BE ENTITLED

AN ACT

relating to the notice and petition for the creation of a municipal utility district in certain counties.

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

SECTION 1. Sections 54.001(4) and (5), Water Code, are amended to read as follows:

(4) "Commission" means the Texas ~~[Natural Resource Conservation]~~ Commission on Environmental Quality.

(5) "Executive director" means the executive director of the commission ~~[Texas Natural Resource Conservation Commission]~~.

SECTION 2. Subchapter B, Chapter 54, Water Code, is amended by adding Section 54.0135 to read as follows:

Sec. 54.0135. PRE-PETITION NOTICE TO CERTAIN COUNTIES. (a) This section applies only to a proposed district described by Section 54.0161(a).

(b) Before a petition requesting creation of a proposed district is filed with the commission under Section 54.014, notice must be sent by certified mail to the commissioners court of each county in which the proposed district is to be located. The notice must:

(1) generally describe the boundaries of the land to be included in the proposed district, including, if possible, by metes and bounds or by lot and block number if there is a recorded

1 map or plat and survey of the area to be included in the district;

2 and

3 (2) inform the commissioners court of the right to:

4 (A) respond to the notice provided under this  
5 section;

6 (B) review the petition requesting creation of  
7 the proposed district; and

8 (C) submit a written opinion on the creation of  
9 the proposed district under Section 54.0161.

10 (c) Notice under this section must be sent by certified mail  
11 at least 30 days before the date a petition requesting creation of  
12 the proposed district is filed with the commission under Section  
13 54.014.

14 SECTION 3. Section 54.015, Water Code, is amended to read as  
15 follows:

16 Sec. 54.015. CONTENTS OF PETITION. The petition shall:

17 (1) describe the boundaries of the proposed district  
18 by metes and bounds or by lot and block number, if there is a  
19 recorded map or plat and survey of the area;

20 (2) state the general nature of the work proposed to be  
21 done, the necessity for the work, and the cost of the project as  
22 then estimated by those filing the petition; ~~and~~

23 (3) include a name of the district which shall be  
24 generally descriptive of the locale of the district followed by the  
25 words Municipal Utility District, or if a district is located  
26 within one county, it may be designated "\_\_\_\_\_ County  
27 Municipal Utility District No. \_\_\_\_." (Insert the name of the

1 county and proper consecutive number.) The proposed district shall  
2 not have the same name as any other district in the same county; and  
3 (4) for a district described by Section 54.0161,  
4 include a copy of the notice described by Section 54.0135.

5 SECTION 4. Section 54.0135, Water Code, as added by this  
6 Act, and Section 54.015, Water Code, as amended by this Act, apply  
7 only to the creation of a municipal utility district on or after the  
8 effective date of this Act. A petition requesting creation of a  
9 municipal utility district pending before the Texas Commission on  
10 Environmental Quality on the effective date of this Act is governed  
11 by the law in effect on the date the petition was filed, and the  
12 former law is continued in effect for that purpose.

13 SECTION 5. This Act takes effect September 1, 2023.