

BILL ANALYSIS

H.B. 1615
By: Leach
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Legislative Council is required by Section 323.007, Government Code, to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reclassifying and rearranging the statutes in a more logical order, employing a numbering system and format that will accommodate future expansion of the law, eliminating repealed, invalid, duplicative, and other ineffective provisions, and improving the draftsmanship of the law if practicable—all toward promoting the stated purpose of making the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law.

The council has prepared a nonsubstantive revision of local laws governing certain special districts, including those concerning water and wastewater. Historically, the majority of local laws that governed individual special districts were published only in the volumes of legislative session laws. H.B. 1615 is the latest in a long-range project by the council to publish and revise local laws in the manner of the general laws, using the same numbering system employed in other codes. The project for the 89th Legislature revises laws governing the Willacy County Navigation District, the Guadalupe-Blanco River Authority, the Upper Guadalupe River Authority, the Franklin County Water District, and the Escondido Watershed District.

H.B. 1615 is a nonsubstantive revision of Texas law. The substance of the law has not been altered. The sole purpose of these provisions is to compile the relevant law, arrange it in a logical fashion, and rewrite it without altering its meaning or legal effect. If a particular source statute is ambiguous and the ambiguity cannot be resolved without a potential substantive effect, the ambiguity is preserved.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1615 proposes new chapters of the Special District Local Laws Code as a nonsubstantive revision of local laws concerning certain special districts organized by type of district. The bill is organized into four articles, as follows:

- ARTICLE 1 revises local laws concerning the following special districts:
 - the Willacy County Navigation District;
 - the Guadalupe-Blanco River Authority;
 - the Upper Guadalupe River Authority;

- the Franklin County Water District; and
- the Escondido Watershed District;
- ARTICLE 2 makes a conforming amendment to a certain local law relating to the territory comprising the Escondido Watershed District;
- ARTICLE 3 repeals the local laws revised in the proposed chapters and the portions of those local laws that have expired or that have been impliedly repealed; and
- ARTICLE 4 provides for the following general matters with respect to the bill's provisions:
 - the bill is enacted under Section 43, Article III, Texas Constitution, and is intended as a codification only with no substantive change in the law;
 - the bill does not increase or decrease the territory of any special districts as those boundaries exist on the bill's effective date;
 - the repeal of a law by the bill, including a validating law, does not remove, void, or otherwise affect in any manner a validation made under the repealed law, and such a validation is preserved and continues to have the same effect that it would have if the law were not repealed; and
 - the preservation and continuation of such a validation does not diminish the savings provisions prescribed by the Code Construction Act.

H.B. 1615 repeals the following provisions:

- Chapter 404, Acts of the 53rd Legislature, Regular Session, 1953;
- Chapter 135, Acts of the 54th Legislature, Regular Session, 1955;
- Chapter 141, Acts of the 55th Legislature, Regular Session, 1957;
- Chapter 392, Acts of the 56th Legislature, Regular Session, 1959;
- Sections 2 and 3, Chapter 449, Acts of the 56th Legislature, Regular Session, 1959;
- Sections 2 and 3, Chapter 654, Acts of the 60th Legislature, Regular Session, 1967;
- Sections 2 and 3, Chapter 892, Acts of the 81st Legislature, Regular Session, 2009;
- Chapter 75, Acts of the 43rd Legislature, 1st Called Session, 1933;
- Chapter 45, Acts of the 58th Legislature, Regular Session, 1963;
- Sections 2, 3, and 4, Chapter 432, Acts of the 61st Legislature, Regular Session, 1969;
- Sections 2 and 3, Chapter 433, Acts of the 64th Legislature, Regular Session, 1975;
- Sections 10, 12, and 13, Chapter 22, Acts of the 86th Legislature, Regular Session, 2019;
- Chapter 5, page 1062, Special Laws, Acts of the 46th Legislature, Regular Session, 1939;
- Sections 1 and 2, Chapter 193, Acts of the 59th Legislature, Regular Session, 1965;
- Section 2, Chapter 632, Acts of the 59th Legislature, Regular Session, 1965;
- Section 6, Article IV, Chapter 484, Acts of the 68th Legislature, Regular Session, 1983;
- Section 2, Chapter 1059, Acts of the 68th Legislature, Regular Session, 1983;
- Section 2, Chapter 830, Acts of the 75th Legislature, Regular Session, 1997;
- Sections 2 and 3, Chapter 1544, Acts of the 76th Legislature, Regular Session, 1999;
- Sections 6, 7, and 8, Chapter 180, Acts of the 88th Legislature, Regular Session, 2023;
- Chapter 719, Acts of the 59th Legislature, Regular Session, 1965;
- Chapter 308, Acts of the 60th Legislature, Regular Session, 1967;
- Section 3, Chapter 412, Acts of the 69th Legislature, Regular Session, 1985;
- Section 2, Chapter 59, Acts of the 72nd Legislature, Regular Session, 1991;
- Section 2, Chapter 3, Acts of the 75th Legislature, Regular Session, 1997; and
- Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, Chapter 364, Acts of the 57th Legislature, Regular Session, 1961.

EFFECTIVE DATE

April 1, 2027.