

BILL ANALYSIS

S.B. 1965
By: King
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that, with few exceptions, state law requires the creation of a special district to be approved by either the state legislature or the Texas Commission on Environmental Quality and that the approval process requires local notice and an opportunity for public participation. The bill sponsor has also informed the committee that special districts are circumventing notice and approval requirements by annexing noncontiguous land miles away from district boundaries and that, when this happens, a special district may gain authority over the annexed land for things such as the assessment of taxes, issuance of bonds, or condemnation of property, even though the surrounding community may not be aware. S.B. 1965 seeks to address this problem by setting out provisions relating to additional requirements for certain petitions to add certain land to certain districts.

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

S.B. 1965 amends the Water Code to set out provisions relating to additional requirements for a petition to add land to a district that are applicable only to the following:

- a district that is the following:
 - a water control and improvement district;
 - a fresh water supply district;
 - a municipal utility district;
 - a water improvement district;
 - a special utility district; or
 - a municipal management district; and
- a petition of less than all the landowners for the annexation of land that is noncontiguous to the district and located at the time the petition is filed:
 - more than three miles from the district's boundaries; or
 - in a county other than any county in which the district is located.

The bill requires a district that receives a petition, in addition to the applicable notice requirements, to provide notice of the hearing:

- in the manner required for notice of a regular district meeting;
- unless notice is waived by the county, to the county clerk of the county in which the land proposed to be annexed is located not later than the 30th day before the date of the hearing; and

- unless notice is waived by an owner, to each owner, other than a petitioner, of taxable property as shown by the most recent certified tax roll of the applicable central appraisal district in the area proposed to be annexed by certified mail not later than the 14th day before the date of the hearing.

The bill requires a petitioner, on the request of the commissioners court of the county in which the land proposed to be annexed is located, to submit to the commissioners court the petition and any other relevant information reasonably requested by the commissioners court relating to the proposed addition for review. The bill prohibits the district's board from receiving the proposed area as an addition to the district if the petitioner does not comply with the request of the county.

S.B. 1965 applies only to a petition submitted on or after the bill's effective date. A petition submitted before such date is governed by the law in effect on the date the petition was submitted, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.