

By: Bell of Kaufman, Gates, Noble, Tepper,  
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H.B. No. 363

A BILL TO BE ENTITLED

AN ACT

relating to the filing with the county clerk of certain counties of  
a draft of a petition requesting the creation of a municipal utility  
district.

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. FILING OF DRAFT OF PETITION WITH COUNTY  
CLERK. (a) This section applies only to a proposed district  
described by Section 54.0161(a).

(b) At least 30 days before the date an applicant files a  
petition requesting creation of a proposed district with the  
commission under Section 54.014, the applicant must file a draft of  
the petition with the county clerk of each county in which the  
proposed district is to be located.

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

1           Sec. 54.015. CONTENTS OF AND INFORMATION ACCOMPANYING  
2 PETITION. (a) The petition shall:

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

6               (2) state the general nature of the work proposed to be  
7 done, the necessity for the work, and the cost of the project as  
8 then estimated by those filing the petition; and

9               (3) include a name of the district which shall be  
10 generally descriptive of the locale of the district followed by the  
11 words Municipal Utility District, or if a district is located  
12 within one county, it may be designated "\_\_\_\_\_ County  
13 Municipal Utility District No. \_\_\_\_\_.\" (Insert the name of the  
14 county and proper consecutive number.) The proposed district shall  
15 not have the same name as any other district in the same county.

16           (b) For a district described by Section 54.0161(a), the  
17 petition must be accompanied by evidence that the applicant timely  
18 filed a draft of the petition with the county clerk of each county  
19 in which the proposed district is to be located as required by  
20 Section 54.0135.

21           (c) An applicant may satisfy the requirements of Subsection  
22 (b) by filing an affidavit attesting to the fact that the applicant  
23 timely filed a draft of the petition as required by Section 54.0135.

24           SECTION 4. Section 54.0135, Water Code, as added by this  
25 Act, and Section 54.015, Water Code, as amended by this Act, apply  
26 only to a petition requesting creation of a municipal utility  
27 district that is filed with the Texas Commission on Environmental

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1   Quality on or after the effective date of this Act.  A petition  
2   requesting creation of a municipal utility district that was filed  
3   with the commission before the effective date of this Act is  
4   governed by the law in effect on the date the petition was filed,  
5   and the former law is continued in effect for that purpose.

6           SECTION 5.  This Act takes effect September 1, 2025.