

By: Bell of Kaufman

H.B. No. 363

Substitute the following for H.B. No. 363:

By: Gates

C.S.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:

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

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

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

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

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

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

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

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.