

SUBJECT: Allowing petitions for inclusion within WCIDs

COMMITTEE: Land and Resource Management — committee substitute recommended

VOTE: 6 ayes — Bosse, B. Turner, Hamric, Howard, Mowery, Staples  
0 nays  
3 absent — Crabb, Jackson, Krusee

SENATE VOTE: On final passage, April 18 — voice vote

WITNESSES: (*On House companion, HB 2654*)  
For — Richard Suttle, TNL Ranch  
  
Against — None

BACKGROUND : Water control and improvement districts (WCIDs) are authorized to levy taxes and issue bonds to construct and maintain waterways for irrigation, drainage and power, make improvements to waterways to prevent overflows, and preserve and conserve the state's natural resources.

The district defines its boundaries, which can include all or part of one or more counties, municipalities, and other political subdivisions. Areas that are not contiguous can be included in the district only upon approval by a majority of the voters in the area.

DIGEST: CSSB 1558 would authorize landowners subject to a state-approved water quality plan to petition a water district for inclusion within the taxing area of the district. The district could approve the petition if the addition was feasible and to its advantage and if the infrastructure was sufficient to service the addition without injuring land already located in the district. The petition would be executed in the same manner as petitions for the conveyance of real estate and would have to be recorded with the county clerk.

The district could require the petitioner to assume a share of any outstanding and unissued debt. The district would be authorized to levy a tax on the included property each year in which bonds were outstanding.

CSSB 1558 also would stipulate that the boundaries of a municipal utility district operating as a WCID in Dallas County be the same as the boundaries of the district's certificate of convenience and necessity (CCN). The metes and bounds description provided by the district would constitute the legal metes and bounds description of the district's territory.

Land excluded from a district's defined area would not be released from the payment of its pro rata share of district debts. The district could still annually adjust the rates to provide sufficient revenues for debt service and would still be required to provide the same level of service to any existing customers that might have been excluded and at rates charged to customers within its boundaries.

CSSB 1558 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

NOTES:

The committee substitute deleted sections pertaining to the Dallas County Water Control and Improvement District No. 6 and stipulated that the boundaries of a MUD operating as a WCID in Dallas County would be the same as the boundaries of the district's CCN.