

SUBJECT: Allowing for road district authority for all fresh water supply districts

COMMITTEE: Natural Resources — favorable, without amendment

VOTE: 7 ayes — T. King, Bowers, Kacal, Larson, Paul, Price, Wilson
0 nays
4 absent — Harris, Lucio, Ramos, Walle

WITNESSES: For — Ross Martin, Winstead PC
Against — None

BACKGROUND: Water Code ch. 53 establishes fresh water supply districts (FWSD) and sets procedures for their creation, governance, and division. A FWSD can be created through a special election held in the proposed districts. Provisions in the chapter allow an FWSD in Harris County or Dallas County, or any county adjacent to those counties, to be granted road authority through an election held in the district.

DIGEST: HB 1796 would authorize the granting of road district authority to a fresh water supply district (FWSD) located in any Texas county after a majority of voters in an election held in the district approved the proposition. The bill also would authorize a FWSD located in any county in the state to be divided into two new districts in accordance with certain statutory provisions relating to district division and associated elections.

The bill would take effect September 1, 2021.

SUPPORTERS SAY: HB 1796 would increase the efficiency and effectiveness of fresh water supply districts (FWSD) across the state by giving all FWSDs the opportunity to obtain road authority. Allowing FWSDs to finance, construct, and maintain roads would ensure that infrastructure in the district was sufficient to meet the district's needs. This is especially important in growing, populous counties such as Travis or Bexar that still

do not meet current population or adjacency requirements for road authority.

Unlike a municipal utility district, an FWSD can be created through local initiatives in a much shorter time period. Extending the potential for road authority to FWSDs in all Texas counties would be in line with the idea of local control that is found in provisions relating to these districts. FWSDs would use their road authority to build and maintain public roads, providing a benefit to the entire district.

CRITICS
SAY:

No concerns identified.