

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 776  
By: Tillery (Cain)  
Natural Resources  
5-8-97  
Committee Report (Substituted)

### **DIGEST**

Currently, Chapter 402C, Local Government Code, contains the Municipal Drainage Utility Systems Act. This Act contains the authority for cities to assess drainage charges on "benefitted property." These charges may be determined on any basis other than ad valorem. C.S.H.B. 776 would delete agricultural land from the definition of benefitted property for cities with populations of over one million.

### **PURPOSE**

As proposed, C.S.H.B. 776 outlines provisions regarding a municipal drainage utility system.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 402.044(1), Local Government Code, to define "benefitted property," in a municipality with a population of more than 1,000,000, as a lot or tract, but does not include land appraised for agricultural use, to which drainage is made available under this subchapter and which discharges into a creek, river, slough, culvert, or other channel that is part of the municipality's drainage utility system.

SECTION 2. Amends Section 402.047(b), Local Government Code, to authorize the governing body of the municipality to consider the size, in area, and the number of water meters in assessing the drainage charge to the property.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 2.

Amends Section 402.047(b), Local Government Code, to add text authorizing the governing body of the municipality to consider the number of water meters in assessing drainage charges.