

BILL ANALYSIS

Senate Research Center
77R8163 QS-F

S.B. 1620
By: Armbrister
Natural Resources
4/29/2001
As Filed

DIGEST AND PURPOSE

As proposed, S.B. 1620 adds certain powers to the Hays County Water Control and Improvement District No. 2, namely the power to provide wastewater service, stormwater drainage authority, and the related infrastructure. These are powers and duties which the district's enabling statute, Chapter 51, Water Code, does not authorize the county commissioners court to grant to a water control and improvement district.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. VALIDATION OF CREATION. Provides that the creation of the Hays County Water Control and Improvement District No. 2 (district) by the Hays County Commissioners Court on January 16, 2001, is validated, subject to approval at a confirmation election under Chapters 49 (Provisions Applicable to All Districts) and 51 (Water Control and Improvement Districts), Water Code.

SECTION 2. DEFINITION. Defines "district."

SECTION 3. BOUNDARIES. Sets forth the boundaries of the district.

SECTION 4. FINDINGS RELATIVE TO BOUNDARIES. Presents findings relative to boundaries.

SECTION 5. FINDING OF BENEFIT. Provides findings of benefit.

SECTION 6. POWERS. Sets forth guidelines concerning the rights, powers, privileges, authority, functions, and duties of the district. Prohibits any other entity, including any public utility or retail public utility, from expanding the provision of retail water or sewer utility service within the boundaries of the district except under certain conditions. Authorizes the Texas Natural Resource Conservation Commission (commission), if it finds that the district or its successors or assigns is not providing continuous and adequate service to customers in the district, to perform certain functions.

SECTION 7. EFFECTIVE DATE; EXPIRATION DATE. (a) Effective date: upon passage or September 1, 2001.

(b) Provides that if the creation of the district is not confirmed at a confirmation election before September 1, 2003, this Act expires on that date.