

BILL ANALYSIS

Senate Research Center
79R18443 HLT-F

C.S.H.B. 1207
By: Haggerty (Lindsay)
Natural Resources
5/20/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

In 2003, the Texas Legislature attempted to provide relief to land owners within a water district of 5,000 acres or more who have not received service from the district during the past 28 years by creating a mechanism for landowners to petition for the removal of their lands from the water district. The legislation established an August 31, 2005, deadline for submitting petitions. Extending the sunset provision to August 31, 2007, would provide affected landowners time to organize and use the provisions of the legislation to remove their lands from the water district.

C.S.H.B. 1207 extends the sunset provision to August 31, 2007.

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. Amends Section 49.3076, Water Code, by amending Subsections (a)-(c) and adding Subsection (a-1), as follows:

(a) Requires the board of a water district (district) to call a hearing on the exclusion of land from the district on a written petition filed with the secretary of the board by a landowner whose land has been included in and taxable by the district for more than 28 years if any bonds issued by the district are outstanding and the petition, among other things, includes a claim that the district has not provided the land with retail utility services and is filed before August 31, 2007, rather than 2005.

(a-1) Requires the board of a district that has a total area of more than 1,000 acres and not more than 5,000 acres to call a hearing on the exclusion of land from the district on a written petition filed with the secretary of the board by a landowner whose land has been included in and taxable by the district for more than 40 years if any bonds issued by the district payable in whole or in part from taxes of the district are outstanding and the petition complies with the requirements of Subsection (a).

(b) Makes conforming and nonsubstantive changes.

(c) Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: upon passage or September 1, 2005.