

BILL ANALYSIS

Senate Research Center
80R7721 JLL-F

S.B. 1179
By: Hegar
Natural Resources
3/21/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, only a resident in a proposed fresh water supply district is authorized to petition for the creation of a fresh water supply district. Current requirements in Chapter 51 (Water Control and Improvement Districts) and Chapter 54 (Municipal Utility Districts), Water Code, authorize landowners in those districts to petition for the creation of a district. Currently, a petition for the creation of a fresh water supply district is required to contain the signatures of 50 persons or a majority of the electors of the proposed fresh water supply district who own land in the proposed fresh water supply district. As new fresh water supply districts are created, there are very few instances in which there are 50 residents in the proposed fresh water supply district.

As proposed, S.B. 1179 requires a petition for creation of a fresh water supply district to be signed by a majority of landowners by value in the proposed fresh water supply district or, if there are more than 50 landowners in the proposed district, to be signed by at least 50 of those persons.

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 53.014, Water Code, as follows:

Sec. 53.014. REQUISITES OF PETITION. Requires the petition for the creation of a fresh water supply district (district) (petition) to be signed by a majority of the persons who hold title to land in the proposed district that represents a total value of more than 50 percent of the value of all the land in the proposed district as indicated by the appraisal roll of the appraisal district in which the proposed district is located. Requires the petition to be signed by at least 50 persons in the proposed district if there are more than 50 persons holding title to land in the proposed district. Deletes existing text requiring the petition to contain the signatures of 50 or a majority of the electors of the proposed district who own land in the proposed district.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.