

BILL ANALYSIS

Senate Research Center

S.B. 1271
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 76th Legislature, Regular Session, 1999, recognized the difficulty counties have with ensuring adequate water and wastewater facilities in their unincorporated areas, and authorized all counties to acquire, own, operate, or contract for the operation of water or sewer utility systems to serve such areas. However, the legislation limited this authority to Harris County and adjoining counties.

As proposed, S.B. 1271 authorizes a county, rather than only a county with a population of 2.8 million or more, to operate a water or sewer utility system within a municipality, with that municipality's consent. This bill also clarifies a county's authority to finance such systems.

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 412.016(a), Local Government Code, as follows:

(a) Authorizes a county to finance the operation of a water or sewer utility system to serve an unincorporated area of the county in the same manner and under the same regulations as a municipality under Chapter 402 (Municipal Utilities). Authorizes a county to acquire, own, finance, operate, or contract for the operation of a water or sewer utility system to serve all or a part of the area within a municipality, with the approval of the governing body of the municipality, in the same manner and under the same regulations as a municipality under Chapter 402. Deletes existing text authorizing a county with a population of 2.8 million or more and any adjoining county to serve an area within a municipality, with the municipality's approval.

SECTION 2. Effective date: upon passage or September 1, 2007.