

## **BILL ANALYSIS**

Senate Research Center  
84R2580 SGA-D

H.B. 1235  
By: King, Phil (Estes)  
Agriculture, Water & Rural Affairs  
5/5/2015  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

This bill would allow the Wise County Water Control and Improvement District (WCID) No. 1 to hold an election to annex all parts of Wise County not within WCID District No. 1 or another water control and improvement district.

Current law provides that a water control and improvement district may annex land to the district via petition or an election. The petition, however, only requires the signatures of the majority of value of the owners of land in the area or 50 landowners (if there are more than 50), and an election may only take place if it is held on the question of the assumption of bonds, notes, obligations, and taxes by the annexed area.

The portion of Wise County currently not within the boundaries of WCID No. 1 is inhabited by approximately 15,000 people, and local leaders do not want to annex this land based on the signatures of only 50 residents. And, according to the Texas Legislative Council, because Wise County has no outstanding debt, it cannot hold an election as described in Section 49.302, Water Code.

This bill would provide an alternative method for the annexation of land to WCID No. 1 that allows all voters in the affected area to have a say in whether the land is annexed.

H.B. 1235 amends current law relating to the annexation of certain territory by the Wise County Water Control and Improvement District No. 1.

### **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. DEFINITIONS. Defines "board" and "district."

SECTION 2. ANNEXATION OF TERRITORY IN WISE COUNTY. (a) Authorizes the Wise County Water Control and Improvement District No. 1's (district) board of directors (board) to call an election in Wise County to authorize the district's annexation of all parts of Wise County that, on the effective date of this Act, are not within the district's boundaries or the boundaries of another water control and improvement district.

(b) Authorizes the board to order the annexation and an election to approve the annexation based on a resolution of the board with or without a petition requesting the annexation.

(c) Requires that, except as provided by Subsection (b) of this section, the annexation of territory and an election under this section conform to the requirements of Section 49.302 (Adding Land by Petition of Less Than All the Landowners), Water Code, including any hearing and notice requirements.

(d) Requires that the ballot for an election under this section be printed to provide for voting for or against the annexation of the territory, and the assumption by the territory proposed to be annexed of its proportionate share of any outstanding debt of the district.

SECTION 3. Effective date: upon passage or September 1, 2015.