

BILL ANALYSIS

Senate Research Center

S.B. 1162
By: Hancock
Intergovernmental Relations
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1162 is the seventh bill in the Texas Legislative Council's ongoing project to codify the local laws that govern special districts in this state. The first bill was enacted by the 78th regular legislative session in 2003.

S.B. 1162 places 46 new chapters into the Special District Local Laws Code (five drainage districts, four fresh water supply districts, one special utility district, 15 municipal utility districts, one river authority, 17 water control and improvement districts, and three districts with combined powers), with each chapter codifying all of the local laws that govern a particular special district.

Today, the law governing many special districts can only be reliably located in multiple volumes of the session laws. Eventually, each local law that governs a special district will be codified in the Special District Local Laws Code. The intent of S.B. 1162 and the Texas Legislative Council's statutory revision program is to make this information more readily accessible to the public.

S.B. 1162 amends current law relating to the nonsubstantive revision of certain local laws concerning water and wastewater special districts, including conforming amendments.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

ARTICLE 1. NONSUBSTANTIVE REVISION OF LOCAL LAWS

SECTION 1.01 Amends Subtitle A, Title 6, Special District Local Laws Code, by adding Chapters 6610, 6611, 6612, 6613, and 6614, as follows:

CHAPTER 6610. SAN PATRICIO COUNTY DRAINAGE DISTRICT
(Pages 1-14 of this bill.)

CHAPTER 6611. WILLACY COUNTY DRAINAGE DISTRICT NO. 2
(Pages 14-21 of this bill.)

CHAPTER 6612. CAMERON COUNTY DRAINAGE DISTRICT NO. 1
(Pages 21-24 of this bill.)

CHAPTER 6613. CAMERON COUNTY DRAINAGE DISTRICT NO. 3
(Pages 24-27 of this bill.)

CHAPTER 6614. OLD RIVER DRAINAGE DISTRICT OF LIBERTY COUNTY, TEXAS,
NO. 1
(Pages 27-29 of this bill.)

SECTION 1.02. Amends Subtitle B, Title 6, Special District Local Laws Code, by adding Chapters 6910, 6912, 6914, and 6915, as follows:

CHAPTER 6910. HULL FRESH WATER SUPPLY DISTRICT
(Pages 29-32 of this bill.)

CHAPTER 6912. MEMORIAL VILLAGES WATER AUTHORITY
(Pages 32-40 of this bill.)

CHAPTER 6914. PETTUS MUNICIPAL UTILITY DISTRICT
(Pages 40-44 of this bill.)

CHAPTER 6915. PORT MANSFIELD PUBLIC UTILITY DISTRICT
(Pages 44-49 of this bill.)

SECTION 1.03. Amends Subtitle C, Title 6, Special District Local Laws Code, by adding Chapter 7216, as follows:

CHAPTER 7216. JOHNSON COUNTY SPECIAL UTILITY DISTRICT
(Pages 49-53 of this bill.)

SECTION 1.04. Amends Subtitle F, Title 6, Special District Local Laws Code, by adding Chapters 8228, 8371, 8372, 8386, 8392, 8408, 8409, 8411, 8412, 8415, 8440, 8481, 8482, 8485, and 8486, as follows:

CHAPTER 8228. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 1, OF
MONTGOMERY COUNTY, TEXAS
(Pages 53-56 of this bill.)

CHAPTER 8371. SAGEMEADOW UTILITY DISTRICT
(Pages 56-58 of this bill.)

CHAPTER 8372. SHASLA PUBLIC UTILITY DISTRICT
(Pages 58-61 of this bill.)

CHAPTER 8386. SPANISH COVE PUBLIC UTILITY DISTRICT
(Pages 61-63 of this bill.)

CHAPTER 8392. SPENCER ROAD PUBLIC UTILITY DISTRICT
(Pages 63-66 of this bill.)

CHAPTER 8408. THUNDERBIRD UTILITY DISTRICT
(Pages 66-68 of this bill.)

CHAPTER 8409. PORT O'CONNOR IMPROVEMENT DISTRICT
(Pages 68-74 of this bill.)

CHAPTER 8411. SPRING MEADOWS MUNICIPAL UTILITY DISTRICT
(Pages 74-76 of this bill.)

CHAPTER 8412. VARNER CREEK UTILITY DISTRICT
(Pages 76-78 of this bill.)

CHAPTER 8415. WEST CEDAR CREEK MUNICIPAL UTILITY DISTRICT
(Pages 79-81 of this bill.)

CHAPTER 8440. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3
(Pages 82-84 of this bill.)

CHAPTER 8481. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

(Pages 84-87 of this bill.)

CHAPTER 8482. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12
(Pages 87-91 of this bill.)

CHAPTER 8485. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 13
(Pages 91-95 of this bill.)

CHAPTER 8486. WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND
DRAINAGE DISTRICT NO. 3
(Pages 95-98 of this bill.)

SECTION 1.05. Amends Subtitle G, Title 6, Special District Local Laws Code, by adding Chapter 8506, as follows:

CHAPTER 8506. UPPER COLORADO RIVER AUTHORITY
(Pages 98-122 of this bill.)

SECTION 1.06. Amends Subtitle I, Title 6, Special District Local Laws Code, by adding Chapters 9020, 9023, 9028, 9045, 9049, 9050, 9051, 9052, 9053, 9055, 9056, 9057, 9059, 9060, 9061, 9062, and 9063, as follows:

CHAPTER 9020. DONAHOE CREEK WATERSHED AUTHORITY
(Pages 122-127 of this bill.)

CHAPTER 9023. DUVAL COUNTY CONSERVATION AND RECLAMATION DISTRICT
(Pages 127-141 of this bill.)

CHAPTER 9028. CHOCTAW WATERSHED WATER IMPROVEMENT DISTRICT
(Pages 141-146 of this bill.)

CHAPTER 9045. FALLBROOK UTILITY DISTRICT
(Pages 146-160 of this bill.)

CHAPTER 9049. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT-FONDREN ROAD
(Pages 160-164 of this bill.)

CHAPTER 9050. INVERNESS FOREST IMPROVEMENT DISTRICT
(Pages 164-173 of this bill.)

CHAPTER 9051. JEFFERSON COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 10
(Pages 173-186 of this bill.)

CHAPTER 9052. FLAMINGO ISLES MUNICIPAL UTILITY DISTRICT OF GALVESTON
COUNTY, TEXAS
(Pages 186-191 of this bill.)

CHAPTER 9053. LAZY RIVER IMPROVEMENT DISTRICT
(Pages 191-200 of this bill.)

CHAPTER 9055. WISE COUNTY WATER SUPPLY DISTRICT
(Pages 200-221 of this bill.)

CHAPTER 9056. WILLOW CREEK WATER CONTROL DISTRICT
(Pages 221-231 of this bill.)

CHAPTER 9057. MEDINA COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 2

(Pages 231-234 of this bill.)

CHAPTER 9059. RIO GRANDE PALMS WATER DISTRICT
(Pages 234-240 of this bill.)

CHAPTER 9060. SAN LEON MUNICIPAL UTILITY DISTRICT OF GALVESTON
COUNTY, TEXAS
(Pages 240-245 of this bill.)

CHAPTER 9061. TATTOR ROAD MUNICIPAL DISTRICT
(Pages 245-258 of this bill.)

CHAPTER 9062. TREASURE ISLAND MUNICIPAL UTILITY DISTRICT OF BRAZORIA
COUNTY, TEXAS
(Pages 259-264 of this bill.)

CHAPTER 9063. UPPER JASPER COUNTY WATER AUTHORITY
(Pages 264-267 of this bill.)

SECTION 1.07. Amends Subtitle X, Title 6, Special District Local Laws Code, by adding Chapters 11005, 11006, and 11007, as follows:

CHAPTER 11005. MUENSTER WATER DISTRICT
(Pages 268-292 of this bill.)

CHAPTER 11006. SOUTH TEXAS WATER AUTHORITY
(Pages 292-317 of this bill.)

CHAPTER 11007. WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT
(Pages 317-337 of this bill.)

ARTICLE 2. CONFORMING AMENDMENTS

SECTION 2.01. Amends Section 1, Chapter 145, Acts of the 41st Legislature, Regular Session, 1929, to make conforming changes.

SECTION 2.02. Amends Section 1, Chapter 533, Acts of the 57th Legislature, Regular Session, 1961, to make conforming changes.

SECTION 2.03. Amends Section 1, Chapter 20, Acts of the 57th Legislature, 3rd Called Session, 1962, to make conforming changes.

SECTION 2.04. Amends Section 1, Chapter 38, Acts of the 57th Legislature, 3rd Called Session, 1962, to make conforming changes.

SECTION 2.05. Amends Section 1, Chapter 4, Acts of the 58th Legislature, Regular Session, 1963, to make conforming changes.

SECTION 2.06. Amends Section 2, Chapter 29, Acts of the 55th Legislature, 1st Called Session, 1957, to make conforming changes.

SECTION 2.07. Amends Section 1, Chapter 398, Acts of the 51st Legislature, Regular Session, 1949, to make conforming changes.

SECTION 2.08. Amends Section 1, Chapter 613, Acts of the 59th Legislature, Regular Session, 1965, to make conforming changes.

SECTION 2.09. Amends Section 2, Chapter 268, Acts of the 53rd Legislature, Regular Session, 1953, to make conforming changes.

SECTION 2.10. Amends Section 1, Chapter 198, Acts of the 53rd Legislature, Regular Session, 1953, to make conforming changes.

SECTION 2.11. Amends Section 1, Chapter 324, Acts of the 57th Legislature, Regular Session, 1961, to make conforming changes.

SECTION 2.12. Amends Section 1, Chapter 520, Acts of the 59th Legislature, Regular Session, 1965, to make conforming changes.

SECTION 2.13. Amends Section 1, Chapter 532, Acts of the 59th Legislature, Regular Session, 1965, to make conforming changes.

SECTION 2.14. Amends Section 2, Chapter 436, Acts of the 66th Legislature, Regular Session, 1979, to make conforming changes.

SECTION 2.15. Amends Section 1, Chapter 337, Acts of the 65th Legislature, Regular Session, 1977, to make conforming changes.

ARTICLE 3. REPEALER

SECTION 3.01. Repealer: (1) Chapter 187, Acts of the 61st Legislature, Regular Session, 1969;

(2) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Chapter 11, Acts of the 61st Legislature, Regular Session, 1969;

(3) Section 3, Chapter 280, Acts of the 62nd Legislature, Regular Session, 1971;

(4) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 145, Acts of the 41st Legislature, Regular Session, 1929;

(5) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11, Chapter 45, Acts of the 41st Legislature, Regular Session, 1929;

(6) Chapter 4, Acts of the 41st Legislature, Special Laws, 4th Called Session, 1930;

(7) Sections 2, 3, 4, 5, 6, and 7, Chapter 533, Acts of the 57th Legislature, Regular Session, 1961;

(8) Sections 2, 2a, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 20, Acts of the 57th Legislature, 3rd Called Session, 1962;

(9) Section 2, Chapter 520, Acts of the 71st Legislature, Regular Session, 1989;

(10) Sections 2, 3, 4, 5, 6, 7, and 8, Chapter 38, Acts of the 57th Legislature, 3rd Called Session, 1962;

(11) Sections 2, 2A, 3, 4, 5, 6, 7, 8, and 9, Chapter 4, Acts of the 58th Legislature, Regular Session, 1963;

(12) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 780, Acts of the 78th Legislature, Regular Session, 2003;

(13) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11, Chapter 218, Acts of the 72nd Legislature, Regular Session, 1991;

(14) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 679, Acts of the 62nd Legislature, Regular Session, 1971;

(15) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 412, Acts of the 62nd Legislature, Regular Session, 1971;

- (16) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 409, Acts of the 62nd Legislature, Regular Session, 1971;
- (17) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 699, Acts of the 62nd Legislature, Regular Session, 1971;
- (18) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 456, Acts of the 62nd Legislature, Regular Session, 1971;
- (19) Sections 1, 3, 4, 5, 6, 7, 8, and 9, Chapter 693, Acts of the 65th Legislature, Regular Session, 1977;
- (20) Sections 2, 3, 4, and 5, Chapter 492, Acts of the 83rd Legislature, Regular Session, 2013;
- (21) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11, Chapter 35, Acts of the 76th Legislature, Regular Session, 1999;
- (22) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 352, Acts of the 62nd Legislature, Regular Session, 1971;
- (23) Sections 1, 3, 4, 5, 6, 7, 8, and 9, Chapter 742, Acts of the 64th Legislature, Regular Session, 1975;
- (24) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 1212, Acts of the 71st Legislature, Regular Session, 1989;
- (25) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 1214, Acts of the 71st Legislature, Regular Session, 1989;
- (26) Sections 2 and 3, Chapter 1188, Acts of the 82nd Legislature, Regular Session, 2011;
- (27) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Chapter 761, Acts of the 78th Legislature, Regular Session, 2003;
- (28) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Chapter 760, Acts of the 78th Legislature, Regular Session, 2003;
- (29) Sections 1, 2, 4, 5, 6, 7, 8, 9, and 10, Chapter 650, Acts of the 70th Legislature, Regular Session, 1987;
- (30) Chapter 126, General Laws, Acts of the 44th Legislature, Regular Session, 1935;
- (31) Section 5, Chapter 119, Acts of the 50th Legislature, Regular Session, 1947;
- (32) Section 8, Article IV, Chapter 484, Acts of the 68th Legislature, Regular Session, 1983;
- (33) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 11a, 12, 13, 14, and 15, Chapter 29, Acts of the 55th Legislature, 1st Called Session, 1957;
- (34) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Chapter 398, Acts of the 51st Legislature, Regular Session, 1949;
- (35) Section 5, Chapter 452, Acts of the 58th Legislature, Regular Session, 1963;
- (36) Sections 3 and 4, Chapter 908, Acts of the 75th Legislature, Regular Session, 1997;

- (37) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11, Chapter 33, Acts of the 56th Legislature, Regular Session, 1959;
- (38) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 633, Acts of the 61st Legislature, Regular Session, 1969;
- (39) Sections 1, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter 246, Acts of the 58th Legislature, Regular Session, 1963;
- (40) Sections 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 611, Acts of the 60th Legislature, Regular Session, 1967;
- (41) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 605, Acts of the 59th Legislature, Regular Session, 1965;
- (42) Sections 2 and 3, Chapter 101, Acts of the 60th Legislature, Regular Session, 1967;
- (43) Sections 2 and 3, Chapter 579, Acts of the 61st Legislature, Regular Session, 1969;
- (44) Chapter 317, Acts of the 72nd Legislature, Regular Session, 1991;
- (45) Sections 1, 2, 4, 5, 6, 7, 8, 8A, 9, 10, 11, and 12, Chapter 245, Acts of the 54th Legislature, Regular Session, 1955;
- (46) Chapter 371, Acts of the 74th Legislature, Regular Session, 1995;
- (47) Section 2, Chapter 1449, Acts of the 75th Legislature, Regular Session, 1997;
- (48) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, Chapter 613, Acts of the 59th Legislature, Regular Session, 1965;
- (49) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 584, Acts of the 59th Legislature, Regular Session, 1965;
- (50) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 268, Acts of the 53rd Legislature, Regular Session, 1953;
- (51) Sections 4 and 8, Chapter 76, Acts of the 59th Legislature, Regular Session, 1965;
- (52) Sections 1, 2(a), 2(c), 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, Chapter 638, Acts of the 60th Legislature, Regular Session, 1967;
- (53) Chapter 475, Acts of the 67th Legislature, Regular Session, 1981;
- (54) Sections 2, 3, 4, 5, 6, and 7, Chapter 198, Acts of the 53rd Legislature, 1953;
- (55) Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter 324, Acts of the 57th Legislature, Regular Session, 1961;
- (56) Sections 2, 3, 4, 5, 6, 7, and 8, Chapter 520, Acts of the 59th Legislature, Regular Session, 1965;
- (57) Chapter 77, Acts of the 76th Legislature, Regular Session, 1999;
- (58) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 846, Acts of the 61st Legislature, Regular Session, 1969;
- (59) Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter 532, Acts of the 59th Legislature, Regular Session, 1965;

(60) Chapter 508, Acts of the 54th Legislature, Regular Session, 1955;

(61) Chapter 619, Acts of the 63rd Legislature, Regular Session, 1973;

(62) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, Chapter 436, Acts of the 66th Legislature, Regular Session, 1979; and

(63) Sections 1A, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 337, Acts of the 65th Legislature, Regular Session, 1977.

ARTICLE 4. GENERAL MATTERS

SECTION 4.01. LEGISLATIVE INTENT OF NO SUBSTANTIVE CHANGE. Provides that this Act is enacted under Section 43, Article III, Texas Constitution. Provides that this Act is intended as a codification only, and no substantive change in the law is intended by this Act. Provides that this Act does not increase or decrease the territory of any special district of the state as those boundaries exist on the effective date of this Act.

SECTION 4.02. PRESERVATION OF VALIDATION MADE BY PREVIOUS LAW. (a) Provides that the repeal of a law, including a validating law, by this Act does not remove, void, or otherwise affect in any manner a validation under the repealed law. Provides that the validation is preserved and continues to have the same effect that it would have if the law were not repealed.

(b) Provides that Subsection (a) of this section does not diminish the saving provisions prescribed by Section 311.031 (Saving Provisions), Government Code.

SECTION 4.03. Effective date: April 1, 2017.