

1-1 By: Schwertner S.B. No. 1067
1-2 (In the Senate - Filed February 23, 2017; March 6, 2017,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; May 2, 2017, reported favorably by the following vote:
1-5 Yeas 5, Nays 1; May 2, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Lucio	X			
1-8 Bettencourt	X			
1-9 Campbell	X			
1-10 Garcia		X		
1-11 Huffines	X			
1-12 Menéndez			X	
1-13 Taylor of Collin	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the dissolution of the Chisholm Trail Special Utility
1-18 District.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-20 SECTION 1. Subtitle C, Title 6, Special District Local Laws
1-21 Code, is amended by adding Chapter 7219 to read as follows:

1-22 CHAPTER 7219. CHISHOLM TRAIL SPECIAL UTILITY DISTRICT

1-23 SUBCHAPTER A. GENERAL PROVISIONS

1-24 Sec. 7219.001. DEFINITIONS. In this chapter:

1-25 (1) "Board" means the district's board of directors.

1-26 (2) "City" means the City of Georgetown.

1-27 (3) "District" means the Chisholm Trail Special
1-28 Utility District.

1-29 SUBCHAPTER B. DISSOLUTION OF DISTRICT

1-30 Sec. 7219.051. PROPOSAL FOR DISSOLUTION; NOTICE. (a) If a
1-31 majority of the board votes to propose to dissolve the district, the
1-32 board may issue notice of a hearing on a proposal to dissolve the
1-33 district.

1-34 (b) Not later than the 14th day before the date set for the
1-35 hearing, notice of the hearing must:

1-36 (1) be posted at the courthouse of each county in which
1-37 the district is located and at the district's office; and

1-38 (2) be published at least one time in a newspaper of
1-39 general circulation in each county in which the district is
1-40 located.

1-41 Sec. 7219.052. HEARING AND ORDER. (a) At the hearing,
1-42 held at the time and place stated in the notice under Section
1-43 7219.051, the board shall:

1-44 (1) hear all interested persons;

1-45 (2) consider whether the best interests of the persons
1-46 and property in the district will be served by dissolving the
1-47 district; and

1-48 (3) vote on whether to dissolve the district.

1-49 (b) If two-thirds of the members of the board vote to
1-50 dissolve the district, the board shall enter a finding in its
1-51 records that the district will be dissolved after completion of the
1-52 process to transfer to the city the district's certificate of
1-53 convenience and necessity and other assets and liabilities under
1-54 Section 7219.053. After the district's certificate of convenience
1-55 and necessity and other assets and liabilities are transferred to
1-56 the city under Section 7219.053, the board shall enter an order in
1-57 its records dissolving the district.

1-58 (c) If two-thirds of the members of the board do not vote to
1-59 dissolve the district, the board shall enter an order in its records
1-60 providing that the district is not to be dissolved.

1-61 Sec. 7219.053. ASSUMPTION OF OPERATION, MANAGEMENT, AND

ASSETS AND LIABILITIES OF DISTRICT. (a) On the date the board enters a finding under Section 7219.052(b) that the district will be dissolved, the city shall assume:

(1) control of the operation and management of the affairs of the district, to the extent that the operation and management was not previously assumed by the city by contractual agreement;

(2) all rights, duties, and obligations of the district, including existing contracts, duties, assets, property, easements, financial obligations, and liabilities of the district, to the extent that those rights, duties, and obligations were not previously assumed by the city by contractual agreement;

(3) all files, records, and accounts of the district, including those that pertain to the control, finances, management, and operation of the district; and

(4) all permits, approvals, and licenses of the district.

(b) To the extent that the assumption of an item listed in Subsection (a) requires the approval of a state agency, the state agency shall grant approval without additional notice or hearing.

(c) This section does not enhance or harm the position of a contracting party.

Sec. 7219.054. REVIEW OF BOARD'S ORDER. The board's order dissolving the district is final and may not be appealed in any manner to any judicial, administrative, or other tribunal if the board's order is entered after the completion of the process to transfer the district's certificate of convenience and necessity, including any necessary approval of a state agency.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

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