

1-1 By: Lucio S.B. No. 1987  
1-2 (In the Senate - Filed March 10, 2017; March 27, 2017, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 5, 2017, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0,  
1-6 1 present not voting; April 5, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13				X
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1987 By: Lucio

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the notice requirements for bills proposing the  
1-20 creation of or annexation of land to certain special purpose  
1-21 districts.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. The heading to Section 313.006, Government Code,  
1-24 is amended to read as follows:

1-25 Sec. 313.006. NOTICE FOR LAWS ESTABLISHING OR ADDING  
1-26 TERRITORY TO MUNICIPAL MANAGEMENT DISTRICTS.

1-27 SECTION 2. Section 313.006, Government Code, is amended by  
1-28 amending Subsections (a), (b), and (d) and adding Subsections (e)  
1-29 and (f) to read as follows:

1-30 (a) In addition to the other requirements of this chapter, a  
1-31 person, other than a member of the legislature, who intends to apply  
1-32 for the passage of a law establishing or adding territory to a  
1-33 special district that incorporates a power from Chapter 375, Local  
1-34 Government Code, must provide notice as provided by this section.

1-35 (b) The person shall notify by mail each person who owns  
1-36 real property ~~[in the]~~ proposed to be included in a new district or  
1-37 to be added to an existing district, according to the most recent  
1-38 certified tax appraisal roll for the county in which the real  
1-39 property is owned. The notice, properly addressed with postage  
1-40 paid, must be deposited with the United States Postal Service not  
1-41 later than the 30th day before the date on which the intended law is  
1-42 introduced in the legislature.

1-43 (d) The person is not required to mail notice under  
1-44 Subsection (b) or (e) to a person who owns real property in the  
1-45 proposed district or in the area proposed to be added to a district  
1-46 if the property cannot be subject to an assessment by the district.

1-47 (e) After the introduction of a law in the legislature  
1-48 establishing or adding territory to a special district that  
1-49 incorporates a power from Chapter 375, Local Government Code, the  
1-50 person shall mail to each person who owns real property proposed to  
1-51 be included in a new district or to be added to an existing district  
1-52 a notice that the legislation has been introduced, including the  
1-53 applicable bill number. The notice, properly addressed with  
1-54 postage paid, must be deposited with the United States Postal  
1-55 Service not later than the 30th day after the date on which the  
1-56 intended law is introduced in the legislature. If the person has  
1-57 not mailed the notice required under this subsection on the 31st day  
1-58 after the date on which the intended law is introduced in the  
1-59 legislature, the person may cure the deficiency by immediately  
1-60 mailing the notice, but the person shall in no event mail the notice

2-1 later than the date on which the intended law is reported out of  
 2-2 committee in the chamber other than the chamber in which the  
 2-3 intended law was introduced. If similar bills are filed in both  
 2-4 chambers of the legislature, a person is only required to provide a  
 2-5 single notice under this subsection not later than the 30th day  
 2-6 after the date the first of the bills is filed.

2-7 (f) A landowner may waive any notice required under this  
 2-8 section at any time.

2-9 SECTION 3. Section 375.022(b), Local Government Code, is  
 2-10 amended to read as follows:

2-11 (b) The petition must be signed by[+  
 2-12 [~~1~~] the owners of a majority of the assessed value of  
 2-13 the real property in the proposed district, according to the most  
 2-14 recent certified county property tax rolls[~~+, or~~

2-15 [~~2~~] ~~50 persons who own real property in the proposed~~  
 2-16 ~~district if, according to the most recent certified county property~~  
 2-17 ~~tax rolls, more than 50 persons own real property in the proposed~~  
 2-18 ~~district].~~

2-19 SECTION 4. Section 49.302(b), Water Code, is amended to  
 2-20 read as follows:

2-21 (b) A petition requesting the annexation of a defined area  
 2-22 signed by a majority in value of the owners of land in the defined  
 2-23 area, as shown by the tax rolls of the central appraisal district of  
 2-24 the county or counties in which such area is located, [~~or signed by~~  
 2-25 ~~50 landowners if the number of landowners is more than 50,~~] shall  
 2-26 describe the land by metes and bounds or by lot and block number if  
 2-27 there is a recorded plat of the area and shall be filed with the  
 2-28 secretary of the board.

2-29 SECTION 5. Section 54.014, Water Code, is amended to read as  
 2-30 follows:

2-31 Sec. 54.014. PETITION. When it is proposed to create a  
 2-32 district, a petition requesting creation shall be filed with the  
 2-33 commission. The petition shall be signed by a majority in value of  
 2-34 the holders of title of the land within the proposed district, as  
 2-35 indicated by the tax rolls of the central appraisal district. [~~If~~  
 2-36 ~~there are more than 50 persons holding title to the land in the~~  
 2-37 ~~proposed district, as indicated by the tax rolls of the central~~  
 2-38 ~~appraisal district, the petition is sufficient if it is signed by 50~~  
 2-39 ~~holders of title to the land.]~~

2-40 SECTION 6. Section 54.016(a), Water Code, is amended to  
 2-41 read as follows:

2-42 (a) No land within the corporate limits of a city or within  
 2-43 the extraterritorial jurisdiction of a city, shall be included in a  
 2-44 district unless the city grants its written consent, by resolution  
 2-45 or ordinance, to the inclusion of the land within the district in  
 2-46 accordance with Section 42.042, Local Government Code, and this  
 2-47 section. The request to a city for its written consent to the  
 2-48 creation of a district, shall be signed by a majority in value of  
 2-49 the holders of title of the land within the proposed district as  
 2-50 indicated by the county tax rolls [~~or, if there are more than 50~~  
 2-51 ~~persons holding title to the land in the proposed district as~~  
 2-52 ~~indicated by the county tax rolls, the request to the city will be~~  
 2-53 ~~sufficient if it is signed by 50 holders of title to the land in the~~  
 2-54 ~~district]. A petition for the written consent of a city to the  
 2-55 inclusion of land within a district shall describe the boundaries  
 2-56 of the land to be included in the district by metes and bounds or by  
 2-57 lot and block number, if there is a recorded map or plat and survey  
 2-58 of the area, and state the general nature of the work proposed to be  
 2-59 done, the necessity for the work, and the cost of the project as  
 2-60 then estimated by those filing the petition. If, at the time a  
 2-61 petition is filed with a city for creation of a district, the  
 2-62 district proposes to connect to a city's water or sewer system or  
 2-63 proposes to contract with a regional water and wastewater provider  
 2-64 which has been designated as such by the commission as of the date  
 2-65 such petition is filed, to which the city has made a capital  
 2-66 contribution for the water and wastewater facilities serving the  
 2-67 area, the proposed district shall be designated as a "city service  
 2-68 district." If such proposed district does not meet the criteria for  
 2-69 a city service district at the time the petition seeking creation is~~

3-1 filed, such district shall be designated as a "noncity service  
3-2 district." The city's consent shall not place any restrictions or  
3-3 conditions on the creation of a noncity service district as defined  
3-4 by Chapter 54 of the Texas Water Code other than those expressly  
3-5 provided in Subsection (e) of this section and shall specifically  
3-6 not limit the amounts of the district's bonds. A city may not  
3-7 require annexation as a consent to creation of any district. A city  
3-8 shall not refuse to approve a district bond issue for any reason  
3-9 except that the district is not in compliance with valid consent  
3-10 requirements applicable to the district. If a city grants its  
3-11 written consent without the concurrence of the applicant to the  
3-12 creation of a noncity service district containing conditions or  
3-13 restrictions that the petitioning land owner or owners reasonably  
3-14 believe exceed the city's powers, such land owner or owners may  
3-15 petition the commission to create the district and to modify the  
3-16 conditions and restrictions of the city's consent. The commission  
3-17 may declare any provision of the consent to be null and void.

3-18 SECTION 7. This Act takes effect immediately if it receives  
3-19 a vote of two-thirds of all the members elected to each house, as  
3-20 provided by Section 39, Article III, Texas Constitution. If this  
3-21 Act does not receive the vote necessary for immediate effect, this  
3-22 Act takes effect September 1, 2017.

3-23

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