

BILL ANALYSIS

Senate Research Center

S.B. 1558
By: Wentworth
Natural Resources
4-7-97
As Filed

DIGEST

Currently, the Water Code provides no method for enlarging an existing defined area within which taxes have been imposed and improvements are being constructed. This bill allows the owner of land, whether inside or outside the water control and improvement district, to petition for inclusion in an existing defined area.

PURPOSE

As proposed, S.B. 1558 authorizes a landowner to add land to a defined area within a water control and improvement district under certain conditions.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 51L, Water Code, by adding Section 51.530a, as follows:

Sec. 51.530a. Authorizes the owner of land to file with the board of directors (board) of a district a petition requesting that the land described by metes and bounds in the petition, whether contiguous or not to the defined area, be included within the defined area previously established pursuant to Section 51.518 of this code. Authorizes the board to require the petitioner or petitioners to assume their share of the outstanding bonds, notes, or other obligations and the voted but unissued tax bonds of the defined area and authorize the board to levy a tax on their property in each year in which any of the obligations payable in whole or in part from taxation on the defined area are outstanding to pay their share of the indebtedness. Requires a petition of the landowner to add land to the defined area to be signed and executed in the manner provided by law for the conveyance of real estate. Requires the board to hear and consider the petition and may add to the defined area the land described in the petition if it is feasible, practicable, and to the advantage of the defined area and if the defined area's system and other improvements of the defined area are sufficient or will be sufficient to supply the added land without injuring land already in the defined area. Authorizes the board to issue the voted but unissued bonds even though the boundaries of the defined area have been altered since the authorization of the bonds under certain conditions. Requires the granted petition to be filed for record and to be recorded in the office of the county clerk of the county or counties in which the added land is located.

SECTION 2. Emergency clause.

Effective date: 90 days after adjournment.