

BILL ANALYSIS

C.S.H.B. 2914
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Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that the process of holding a hearing to dissolve or convert certain water districts can be overly burdensome. C.S.H.B. 2914 seeks to address this issue by authorizing the Texas Commission on Environmental Quality to adopt a dissolution order for a district without conducting a hearing under certain circumstances and by eliminating the requirement to hold a hearing on the conversion of a conservation and reclamation district to a municipal utility district.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2914 amends the Water Code to authorize the Texas Commission on Environmental Quality (TCEQ) to adopt an order dissolving an applicable water district without conducting a hearing if it receives a petition from the district's board of directors or from the owners of the majority in value of the land in the district, as shown by the most recent certified tax roll of the central appraisal district of the county or counties in which the district is located. The bill requires the petitioners, within 10 days of submitting a petition, to take the following actions:

- provide notice of the petition by certified mail to all landowners in the district, as shown by the most recent applicable certified tax roll, who did not sign the petition, and, if the petition was submitted by landowners, the board of directors; and
- certify in writing to TCEQ that the notice requirements have been met.

The bill requires the notice to state that the landowner may file a written objection to the dissolution of the district not later than the 30th day after the date the notice was received. The bill requires TCEQ to hold a hearing on the dissolution of the district if a landowner files a written objection to the dissolution with TCEQ within the period specified in the notice. The bill requires TCEQ to mail notice of the hearing by first class mail to the petitioners, each landowner who timely filed a written objection to the dissolution, and, if the board of directors did not submit the petition, the board.

C.S.H.B. 2914 repeals Section 54.031, Water Code, which provides for a hearing on the conversion of a conservation and reclamation district to a municipal utility district.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2914 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes details of the petition procedure for TCEQ to adopt an order dissolving an applicable water district without conducting a hearing. The substitute removes the ability for a board member to file a written objection to a dissolution.