

SUBJECT: Modifying municipal authority to consent to the creation of water districts

COMMITTEE: Land and Resource Management — favorable, without amendment

VOTE: 6 ayes — Mowery, Orr, Callegari, R. Cook, Pickett, Ritter

0 nays —

3 absent — Zerwas, Y. Davis, Geren

WITNESSES: For — Susan Alanis, City of Fort Worth; (*Registered, but did not testify:*
Bob Riley and Susan Zachos, city of Fort Worth)

Against — None

BACKGROUND: Water Code, ch. 54, governs the powers and duties of municipal utility districts (MUDs). Sec. 54.016 renders land within the corporate limits of a city or within the extraterritorial jurisdiction of a city ineligible for inclusion in a MUD unless the city grants its written consent, by resolution or ordinance, to the inclusion of the land within the district.

Current statutory provisions do not require MUDs to install water infrastructure systems that meet standards established by municipalities. In the event of annexation of an area served by a MUD, municipalities may be required to make upgrades to water infrastructure to bring existing facilities into compliance with municipal fire flow standards.

DIGEST: HB 3378 would allow a municipality to require, as part of granting consent for services to a MUD, that services provided would have to meet the city's adopted fire flow requirements. A municipality could make this stipulation only for MUD services for land developed and subdivided into lots less than one acre in area.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.