

BILL ANALYSIS

Senate Research Center

S.B. 1399
By: Lindsay
Intergovernmental Relations
4-9-97
As Filed

DIGEST

Currently, strategic partnership agreements at the request of a water or municipal district (district) negotiating with a municipality are not mandatory. S.B. 1399 would provide for mandatory strategic partnership agreements at the request of a district negotiating with a municipality. This bill modifies the payment of a fee in lieu of an annexation provision which allows the fee to be renegotiated every five years rather than every 10 years and, requires limited-purpose annexations prior to full-purpose annexations. Additionally, the moratorium on annexations is extended to September 1, 1999. The goal of S.B. 1399 is to make strategic partnership agreements mandatory with each side playing an active role in the negotiation of the provision of services.

PURPOSE

As proposed, S.B. 1399 outlines provisions regarding strategic partnerships for the continuation of certain water or municipal districts.

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 Section 43.0751, Local Government Code, by amending Subsections (b), (f), and (m), to require, rather than authorize, the governing bodies of a municipality and a water or municipal district (district) to negotiate and, at the request of the district, enter into a written strategic partnership agreement for the district. Provides that a fee determined through a certain methodology is subject to renegotiation every five years, rather than 10 years, at the request of either party to the agreement following the same procedure used to set the fee in the original agreement. Requires a municipality to annex a district for limited purposes to implement a strategic partnership agreement before a municipality annexes for full purpose, rather than prohibiting a partnership agreement under this section from annexing for full purposes, any territory within a certain district. Requires the prohibition on annexation established by this subsection to expire on September 1, 1999, rather than 1997, or on the date on or before which the municipality and any district may have separately agreed that annexation would not take place, whichever is later.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.