

BILL ANALYSIS

Senate Research Center

S.B. 1719
By: Ellis
Natural Resources
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As Filed

DIGEST

Currently, there is no law requiring an election to authorize the levy of an operations and maintenance tax by certain large conservation and reclamation districts and authorizing withdrawal from certain districts. This bill requires certain large conservation and reclamation districts to conduct a new election to authorize the levy of an operation and maintenance tax after July 1, 1997.

PURPOSE

As proposed, S.B. 1719 requires certain large conservation and reclamation districts to conduct a new election to authorize the levy of an operation and maintenance tax after July 1, 1997.

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 49, Water Code, by adding Section 49.109, as follows:

Sec. 49.109. OPERATION AND MAINTENANCE TAX ELECTION. Prohibits a conservation and reclamation district with an area of 10,000 acres or more that provides household water and sewer services from levying an operation and maintenance tax after July 1, 1997, unless it holds an election to authorize the levy of an operations and maintenance tax after that date. Sets forth the requirements of the election.

SECTION 2. Amends Chapter 49, Water Code, by adding Section 49.110, as follows:

Sec. 49.110. WITHDRAWAL FROM DISTRICT. Sets forth the applicability of this section. Authorizes the governing body of an election unit to order an election to withdraw the unit from the district. Provides that the governing body of an area of unincorporated territory not within the extraterritorial jurisdiction of a municipality is the commissioners court of the county in which such area is located. Requires the governing body of an election unit that receives a valid petition under this section to order an election on the proposition of the withdrawal of the election unit from the district. Sets forth the requirements of the petition. Sets forth required actions after the petition is filed at the election unit. Requires the governing body to give notice of the election. Sets forth the language of the election ballot. Sets forth actions as determined by the outcome of the elections. Sets forth requirements for retaining use of the real estate and improvements for not longer than 15 years. Sets forth requirements for continued collection of ad valorem taxes. Prohibits the district from having authority to levy taxes in the withdrawn election unit other than in the amount necessary to pay the election unit's apportioned share of the district's obligations on the date of withdrawal. Sets forth the amount of the total financial obligations of the withdrawn election unit to the district. Sets forth the district's outstanding obligations.

SECTION 3. Emergency clause.

Effective date: 90 days after adjournment.