

## **BILL ANALYSIS**

Senate Research Center

S.B. 1791  
By: Wentworth  
Natural Resources  
3-31-97  
As Filed

### **DIGEST**

Currently, a home-rule municipality may unilaterally annex a municipal utility district lying within its extraterritorial jurisdiction so long as the entire municipal utility district is annexed and the municipality assumes all of the outstanding obligations of the district. This bill prevents a municipality from annexing a municipal utility district under certain conditions.

### **PURPOSE**

As proposed, S.B. 1791 provides regulations regarding the annexation of a portion of certain municipal utility 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 Chapter 43D, Local Government Code, by adding Section 43.0725, as follows:

Sec. 43.0725. ANNEXATION OF AREAS OF CERTAIN MUNICIPAL UTILITY DISTRICTS. Sets forth municipal utility districts to which this section applies. Prohibits a municipality, except as provided by Subsection (c), from annexing any portion of a municipal utility district to which it provides wholesale wastewater service unless the district is providing retail service to 80 percent or more of the equivalent wastewater connection rights that the district has reserved in the municipality's wastewater system for the district's customers. Sets forth annexations to which Subsection (b) does not apply.

SECTION 2. Provides that the change in law made by this Act applies only to an annexation for which the first hearing notice required by Section 43.052, Local Government Code, is published on or after January 1, 1997, and that has not been completed before the effective date of this Act.

SECTION 3. Emergency clause.  
Effective date: upon passage.