

BILL ANALYSIS

Senate Research Center

S.B. 1829
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Intergovernmental Relations
3-31-97
As Filed

DIGEST

Currently, the Lower Valley Water District (LVWD) is a large municipal utility district which serves approximately one-quarter of the southeastern portion of El Paso County. The San Elizario Grant Municipal District (SEGMUD) is a small debt-free municipal utility district consisting of 1754 acres which is completely surrounded by LVWD. LVWD is expanding its water and wastewater system to serve the San Elizario area of El Paso County and will soon be in a position to serve the residents currently residing within SEGMUD. This bill would dissolve SEGMUD and authorize the LVWD to annex SEGMUD.

PURPOSE

As proposed, S.B. 1829 sets forth the annexation of the San Elizario Grant Municipal Utility District by the Lower Valley Water District in El Paso County and, subsequently, the dissolution of the San Elizario Grant Municipal Utility District.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Sets forth the legislative findings relating to the Lower Valley Water District (LVWD) and the San Elizario Grant Municipal Utility District (SEGMUD).

SECTION 2. Sets forth the boundaries of a certain tract of land located in Blocks Nos. 2, 5, 6, 7, 8 and 40 of the San Elizario Grant that is to become a part of LVWD.

SECTION 3. Provides that it is expressly determined that the boundaries of LVWD as redefined in Section 2 hereof form a closure, and if any mistake is made in copying the field notices in the legislative process, or otherwise a mistake is found to have occurred in the field notes, it shall in no way or manner affect the organization, existence or validity of LVWD as enlarged and redefined, or LVWD's right to issue bonds or refunding bonds, or to pay the principal and interest thereon, or the right to assess, levy and collect taxes, or in any other manner affect the legality or operation of LVWD or its governing body.

SECTION 4. Provides that it is determined and found that the land added herein to LVWD, the original area of LVWD, and all of the land and other property included within the area and boundaries of LVWD as herein enlarged will be benefitted by the works and projects which are to be accomplished by LVWD pursuant to the powers conferred by the provisions of Article XVI, Section 59, of the Texas Constitution of Texas, and that LVWD was and is created and enlarged as herein provided, to serve a public use and benefit.

SECTION 5. Provides that SEGMUD is dissolved.

SECTION 6. Prohibits the annexation and dissolution of SEGMUD by LVWD from being effective and final unless and until certain contingencies are met.

SECTION 7. Requires LVWD, if the indebtedness, tax or bond, note, or other obligation

assumption election results favorably, to be authorized to issue its voted but unissued tax bonds even though the boundaries of LVWD have been changed since the original election approving the bonds.

SECTION 8. (a) Provides that the proper and legal notice of the intention to introduce this Act has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and other laws of this state.

(b) Provides that the Texas Natural Resource Conservation Commission has filed its recommendations with certain government officials within the required time.

(c) Provides that all requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 9. Provides that notwithstanding any other provision of law, the order of dissolution and annexation is wholly sufficient and effective to accomplish the dissolution of SEGMUD and the annexation of the land described in SECTION 2 hereof into LVWD.

SECTION 10. Provides that if any provision of this Act shall be held invalid, such holding shall not affect the remaining portion of this Act, and this Act shall be given a liberal and broad construction in order that the expressed objectives of the Act may be carried out.

SECTION 11. Emergency clause.
Effective date: 90 days after adjournment.