

## **BILL ANALYSIS**

Senate Research Center

H.B. 3378  
By: Truitt (Brimer)  
Natural Resources  
5/17/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law allows for the creation of special districts such as municipal utility, fresh water, and other entities in the extraterritorial jurisdiction (ETJ) of a city that will be annexed in the future. However, current law does not require the districts to install water infrastructure systems that meet the standards that are essential to urban areas. This is a threat to safety because these areas might consist of high density residential developments that would be insufficiently served by the water infrastructure. Thus, when the area is annexed, the city is forced to make costly upgrades to the infrastructure to bring it to the city's standards

H.B. 3378 amends the Water Code to allow cities to require that a water district in the city's ETJ must meet the fire flow requirements adopted by that city as a condition to granting consent to the creation or expansion of the water district.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 42.042(a), Local Government Code, as follows:

(a) Prohibits the governing body of a municipality from placing any conditions or other restrictions on the creation of a political subdivision, other than those expressly permitted by Sections 54.016(e) (regarding certain information that is authorized for inclusion in a city's written consent to the inclusion of land in a district) and (i), Water Code, in written consent by ordinance or resolution for the extraterritorial jurisdiction of a municipality with a purpose of supplying fresh water for domestic or commercial use or to furnish sanitary sewer services, roadways, or drainage.

SECTION 2. Amends Section 54.016, Water Code, by adding Subsection (i), to authorize a city to provide in its written consent to the inclusion of land in a district that a district water facility that serves land developed and subdivided into lots of less than one acre must meet the fire flow requirements to which the city is subject.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2007.