

CHAPTER 192

H.B. No. 2182

AN ACT

relating to the voluntary inclusion of land within certain water districts.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 51.714, Water Code, is amended to read as follows:

Sec. 51.714. **ADDING LAND BY PETITION OF LANDOWNER.** The owner of land may file with the board a petition requesting that the land described by metes and bounds in the petition be included in the district. *Notwithstanding any municipal ordinance, resolution, or any other statute to the contrary, a municipality may not require the annexing district or the landowner who is requesting annexation to obtain the municipality's consent to the district's annexation of the additional land if, at the time the petition is filed, the land to be annexed is contiguous to the district and not located within an area designated by ordinance or resolution of the municipality's governing body as the municipality's water and sewer service area or corporate limits. The land shall be deemed to be contiguous to the*

district if it is separated from the district by public land or right of way. If the land to be annexed by the district is within this extraterritorial jurisdiction of a city, then the annexation shall not become effective until: (1) the city is given written notice of the proposed annexation; (2) a period of 120 days has expired since the notice was received; and (3) within such 120-day period, the city does not extend its service area boundaries along with its impact fee boundaries to include the land subject to annexation by the district along with a plan to serve the land with utilities in a manner substantially similar to that plan contemplated by this district. A municipality's consent shall not be required for the inclusion or annexation of irrigable land within the boundaries of a district primarily engaged in providing irrigation service to lands within its boundaries.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 4, 1993, by a non-record vote; passed by the Senate on May 10, 1993: Yeas 31, Nays 0.

Approved May 19, 1993.

Effective Aug. 30, 1993, 90 days after date of adjournment.