

CHAPTER 447

H.B. No. 142

AN ACT

relating to the authority of commissioners courts to acquire property or interests in property for obtaining or transporting and delivering surface water.

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

SECTION 1. Article 2351, Revised Statutes, is amended by adding Subdivision 21 to read as follows:

*21. In addition to its other powers, a Commissioners Court may acquire by purchase, gift, lease, or other method of acquisition, except by condemnation, any property or an interest in property inside or outside the county that the Commissioners Court finds necessary to obtain a surface water supply or to transport and deliver surface water. If the property that is being acquired is located outside the county, the Commissioners Court of the county or counties where the property is located shall hold a public hearing and acquisition must be approved by the Commissioners Court at a regular meeting of the court. The Commissioners Court may contract with any political subdivision of the State for the management and operation of part or all of the property or interests in property and for the beneficial use of the surface water. A contract may be entered into on terms the Commissioners Court considers to be appropriate, but a contract may not be for a term of more than forty (40) years.*

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 March 25, 1987, by a non-record vote. Passed by the Senate on May 25, 1987, by the following vote: Yeas 29, Nays 0.

Approved June 17, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.