

CHAPTER 122

H.B. No. 1834

AN ACT

relating to certain fresh water supply districts assuming the authority of road districts.

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

SECTION 1. Section 53.029, Water Code, is amended to read as follows:

Sec. 53.029. DIVISION OF OR ASSUMPTION OF AUTHORITY BY CERTAIN DISTRICTS. (a) *This section applies to a [A] district located in a county having a population of 900,000 or more or adjacent to a county having a population of 900,000 or more, according to the last preceding federal census.*

(b) *A district covered by this section[;] may be divided into two new districts if it has no outstanding bonded debt and is not levying ad valorem taxes. The division procedure is prescribed by Sections 53.030 to 53.041 of this code.*

(c) *The board of a district covered by this section may order an election to be held in the district to determine whether the district should assume the rights, authority, privileges, and functions of a road district under Article III, Section 52(b)(3), of the Texas Constitution. The election shall be ordered, conducted, and the results canvassed in the manner provided by the applicable provisions of this chapter and the Election Code. The ballots for the election shall be printed to provide for voting for or against: The assumption by the _____ Fresh Water Supply District of the rights, authority, privileges, and functions of a road district under Article III, Section*

52(b)(3), of the Texas Constitution. If a majority of the persons voting in the election vote in favor of the proposition, the district shall assume the rights, authority, privileges, and functions of a road district operating under Article III, Section 52(b)(3), of the Texas Constitution, the County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes), and other general laws of this state relating to road districts.

(d) A district operating as a road district may not issue bonds or otherwise lend its credit for road district purposes except on approval of not less than two-thirds of the qualified voters of the district voting at an election called and held for that purpose. The total amount of bonds, notes, and other obligations of the district issued or incurred under this subsection may not exceed one-fourth of the assessed valuation of real property in the district.

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 April 23, 1987, by the following vote: Yeas 138, Nays 0, 1 present, not voting. Passed by the Senate on May 7, 1987, by the following vote: Yeas 31, Nays 0.

Approved May 19, 1987.

Effective May 19, 1987.