

By: Kacal

H.B. No. 4122

A BILL TO BE ENTITLED

AN ACT

relating to the transference of certain territory from one groundwater conservation district to another.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 36, Water Code, is amended by adding Subchapter J-1 to read as follows:

SUBCHAPTER J-1. TRANSFER OF CERTAIN TERRITORY

Sec. 36.341. PETITION TO TRANSFER. The owner of a parcel of land that is greater than 1,000 acres in area and is included in the territory of two or more groundwater conservation districts by a petition presented to the districts may request that the districts transfer portions of their territories as necessary for the entire parcel to be included in the territory of a single district.

Sec. 36.342. CONTENTS OF PETITION. A petition submitted under this subchapter must:

(1) accurately describe the boundaries of the parcel;  
and

(2) provide a statement from a district that is proposed to receive the portion of the parcel that the district is willing to accept the land into its territory.

Sec. 36.343. ACTIONS ON RECEIVING PETITION. (a) Each district on receiving a petition under this subchapter shall undertake to enter into an agreement with the other district or districts to effectuate the transfer of territory as requested and

1 within a reasonable period of time. If a district from which  
2 territory is to be removed under this section has outstanding debt  
3 or obligations, that district and the district to which the  
4 territory is to be added shall enter into an agreement that ensures  
5 that the debts of the originating district are not impaired by the  
6 transfer of the territory.

7 (b) On entering the agreement, the districts shall adopt a  
8 joint resolution approving the petition. The resolution must  
9 provide the date on which the transfer is to be effective. On that  
10 date, the requested land is annexed to the territory of the district  
11 that is proposed to receive the land.

12 Sec. 36.344. NOTIFICATION OF COMMISSION. Each district  
13 that adds or removes territory under this subchapter shall notify  
14 the commission of the change in territory.

15 SECTION 2. This Act takes effect September 1, 2017.