

AN ACT

relating to the rights, powers, functions, and duties of the West Travis County Municipal Utility District No. 5.

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

SECTION 1. Section 6, Chapter 1214, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Subsections (c) and (d) to read as follows:

(c) In addition to the rights, powers, privileges, authority, functions, and duties under Subsection (a) of this section, the district has all of the rights, powers, privileges, authority, functions, and duties relating to:

(1) road districts and road utility districts created under Section 52, Article III, Texas Constitution; and

(2) supply and distribution facilities or systems to provide potable and nonpotable water to the residents and businesses of Travis and Hays Counties.

(d) Notwithstanding Subsection (c) of this section, the district may not construct, acquire, maintain, or operate a toll road.

SECTION 2. Chapter 1214, Acts of the 71st Legislature, Regular Session, 1989, is amended by adding Section 6A to read as follows:

Sec. 6A. LIMITATION ON USE OF EMINENT DOMAIN. The district may not exercise the power of eminent domain outside the district to

1 acquire a site or easement for:

2 (1) a road project authorized by Section 6 of this Act;

3 or

4 (2) a recreational facility as defined by Section
5 49.462, Water Code.

6 SECTION 3. (a) The legal notice of the intention to
7 introduce this Act, setting forth the general substance of this
8 Act, has been published as provided by law, and the notice and a
9 copy of this Act have been furnished to all persons, agencies,
10 officials, or entities to which they are required to be furnished
11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
12 Government Code.

13 (b) The governor, one of the required recipients, has
14 submitted the notice and Act to the Texas Commission on
15 Environmental Quality.

16 (c) The Texas Commission on Environmental Quality has filed
17 its recommendations relating to this Act with the governor, the
18 lieutenant governor, and the speaker of the house of
19 representatives within the required time.

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

H.B. No. 3743

1 Act takes effect September 1, 2011.

H.B. No. 3743

David Dewhurst

President of the Senate

Joe Straus

Speaker of the House

I certify that H.B. No. 3743 was passed by the House on May 19, 2011, by the following vote: Yeas 148, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3743 on May 27, 2011, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 3743 was passed by the Senate, with amendments, on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Dorothy Spaw

Secretary of the Senate

APPROVED:

17 JUN 11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
* 4:00 O'CLOCK

JUN 17 2011

Dorothy Spaw
Secretary of State