TEXAS LEGISLATIVE COUNCIL

P.O. Box 12128, Capitol Station
Austin, Texas 78711-2128
Telephone: 512/463-1155

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M E M O R A N D U M

TO: Reviewers of Proposed Chapters for the Special District Local Laws Code

FROM: Melissa MacNeil and Michael Polich
Chief Revisors, Special District Local Laws Code

DATE: September 14, 2026

SUBJECT: Review of Proposed Chapters for the Special District Local Laws Code

REVIEW OF PROPOSED CHAPTERS

The Texas Legislative Council encourages examination and review of proposed code chapters by any interested person and appreciates all comments on the chapters. The council staff will review all comments and make any changes necessary to ensure that the code legislation is accurate and makes no substantive changes to the current law.

BACKGROUND INFORMATION

Codification Duties of the Texas Legislative Council

The Texas Legislative Council has a statutory duty under Section 323.007, Government Code, to carry out a complete nonsubstantive revision of Texas statutes. The purpose of the ongoing statutory revision process is to make the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law. This statutory revision process involves classifying the state's statutes by subject matter and rearranging the statutes by subject in a logical order. The council drafting attorneys use a numbering system that accommodates future expansion of the law. Additionally, the attorneys endeavor to eliminate repealed, invalid, duplicative, and other ineffective portions of the statutes and to improve the draftsmanship of the statutes, where practicable, with modern American English.

The Special District Local Laws Code

Historically, the majority of local laws that governed individual special districts were published only in the volumes of legislative session laws, and those laws were not as readily

accessible as the general laws printed in Vernon's Texas Civil Statutes and the subject matter codes, including the Government Code and the Water Code. In addition, many of those local laws have been repeatedly amended over the years, which required comparing the law as printed in several different session law volumes.

The Special District Local Laws Code project is the council's effort to have these local laws published and revised in the manner of the general laws, using the same numbering system employed in the other codes drafted by council attorneys. The code is divided into titles by broad subject areas and subtitles by the general types of special districts governed by local laws. The subtitles are further divided into numbered chapters, with one chapter for each individual district.

The code was adopted by the 78th Legislature, Regular Session, 2003, in a form that established the structure of the code with one or more chapters for each title and subtitle. The council prepared additional revised chapters for the code in each subsequent legislative session, which the legislature added to the code.

The council is beginning the process of making available for review preliminary drafts of each proposed code chapter to be introduced during the 90th Legislature in 2027. The council seeks review of the proposed code chapters by interested parties before the chapters are compiled into a bill for consideration by the legislature so that any suggested changes to the chapters can be incorporated early in the process. The proposed code chapters for consideration by the 90th Legislature pertain to the following districts:

Comal County Water Recreational District No. 1
Garfield Municipal Utility District No. 1
Lavaca-Navidad River Authority
Rayburn Country Municipal Utility District
Sabine River Authority
San Jacinto River Authority
The Woodlands Road Utility District No. 1
Trinity Bay Conservation District
Velasco Drainage District

REVIEWING INFORMATION

The preliminary draft of each proposed chapter is arranged to facilitate review. Each section of a chapter provides the Revised Law, which is the text of the proposed code language to be enacted, followed by the Source Law, the text of the current law the drafting attorney has revised. When an explanation of either the revised law or source law is needed, a Revisor's Note follows. The substance of the source law for a code section is included in the revised law or the reason for its omission is explained in a revisor's note.

In reviewing a proposed chapter of the code, the reader should keep in mind the following guidelines:

(1) The Code Construction Act (Chapter 311, Government Code) applies to the code. That act sets out principles of statutory construction applicable to codes and provides definitions for commonly used terms.

(2) The council drafting attorneys use modern American English as practicable in revising the statutes. In addition, the present tense is preferred to the past or future tense, the active voice is preferred to the passive voice, and the singular is preferred to the plural.

(3) The revision is nonsubstantive. Accordingly, the council staff is not authorized to improve or otherwise change the substance of the current law. The sole purpose of the project is to compile the law related to the subject matter, arrange it in a logical order, and rewrite it without altering its meaning or legal effect. If the source law for a code provision is ambiguous and the ambiguity cannot be resolved without substantive effect, the ambiguity is preserved. In addition, the code project does not attempt to reflect court decisions that have not been approved by the Texas court of last resort or the possible effect of recent federal legislation.

COMMENTS AND SUGGESTIONS

As they are completed, each proposed code chapter will be made available for review on the council's Internet website, http://www.tlc.texas.gov/code-local-laws. To receive a copy of one or more chapters, please send a request for the chapters to the attention of Ms. Ileane Marquez by phone at 512-463-1151 or by e-mail at Ileane.Marquez@tlc.texas.gov. If you are aware of another person who may wish to review one or more chapters, please share this information with that person.

The codification project for the 90th Legislative Session is managed by Melissa MacNeil and Michael Polich, attorneys in the council's legal division. Please direct any comments, questions, or suggestions as provided below.

For comments, questions, or suggestions on the following districts, please contact Melissa MacNeil by phone at 512-463-1151 or by e-mail at Melissa.MacNeil@tlc.texas.gov:

Comal County Water Recreational District No. 1
Garfield Municipal Utility District No. 1
Rayburn Country Municipal Utility District
The Woodlands Road Utility District No. 1
Trinity Bay Conservation District
Velasco Drainage District

For comments, questions, or suggestions on the following districts, please contact Michael Polich by phone at 512-463-1151 or by e-mail at Michael.Polich@tlc.texas.gov:

Lavaca-Navidad River Authority
Sabine River Authority
San Jacinto River Authority

To ensure any necessary changes are incorporated in a timely manner, please provide comments not later than Wednesday, December 30, 2026.

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