

HCS SB 196 -- PUBLIC WATER SUPPLY DISTRICTS

Currently, any territory included in a water supply district that is not being served by the district may be removed from the district if the district, acting through its board of directors, files a petition with the circuit court in which the district was incorporated. This bill allows any person to name the district as a defendant and serve a copy of the petition upon the district at least 35 days before the petition hearing if the district does not file the petition. The petition must be served by certified or registered mail, with a return receipt requested. When the petition is not submitted by the district, it may file exceptions or objections. In considering the petition for detachment, the court must take into consideration the evidence in support of and opposition to the petition. The clerk of the circuit court must give notice to the district of the filing of the petition and the hearing. The notice must be sent by certified or registered mail, with a return receipt requested, and published in a newspaper of general circulation in the county in which the proceedings are pending and in a newspaper of general circulation in the territory proposed to be detached.