

By: Canales

H.B. No. 5373

Substitute the following for H.B. No. 5373:

By: King of Uvalde

C.S.H.B. No. 5373

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Hidalgo County Drainage District No. 1.

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

SECTION 1. Subtitle A, Title 6, Special District Local Laws Code, is amended by adding Chapter 6609 to read as follows:

CHAPTER 6609. HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6609.0101. DEFINITION. In this chapter, "district" means the Hidalgo County Drainage District No. 1.

Sec. 6609.0102. NATURE OF DISTRICT. The district is a conservation and reclamation district in Hidalgo County operating under Section 59, Article XVI, Texas Constitution, as a drainage district and a water improvement district.

Sec. 6609.0103. FINDINGS OF BENEFIT AND PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the works and projects that are to be accomplished by the district under powers conferred by Section 59, Article XVI, Texas Constitution.

(c) The district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 6609.0104. DISTRICT TERRITORY. The district territory is coextensive with the boundaries of Hidalgo County, Texas.

1 SUBCHAPTER B. POWERS AND DUTIES

2 Sec. 6609.0201. GENERAL POWERS AND DUTIES. (a) The
3 district has all rights, powers, privileges, functions, and duties
4 provided by the general law of this state applicable to a drainage
5 district and a water improvement district created under Section 59,
6 Article XVI, Texas Constitution, including Chapters 49, 55, and 56,
7 Water Code.

8 (b) To the extent of a conflict between this chapter and
9 Chapter 49, 55, or 56, Water Code, this chapter prevails. To the
10 extent of a conflict between Chapters 55 and 56, Water Code, Chapter
11 55 prevails.

12 SECTION 2. (a) The legal notice of the intention to
13 introduce this Act, setting forth the general substance of this
14 Act, has been published as provided by law, and the notice and a
15 copy of this Act have been furnished to all persons, agencies,
16 officials, or entities to which they are required to be furnished
17 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
18 Government Code.

19 (b) The governor, one of the required recipients, has
20 submitted the notice and Act to the Texas Commission on
21 Environmental Quality.

22 (c) The Texas Commission on Environmental Quality has filed
23 its recommendations relating to this Act with the governor, the
24 lieutenant governor, and the speaker of the house of
25 representatives within the required time.

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act are fulfilled
2 and accomplished.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2023.