

By: Canales

H.B. No. 5373

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the powers of the Hidalgo County Drainage District  
3 Number 1.

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

5 SECTION 1. Hidalgo County Drainage District Number 1 is an  
6 existing conservation and reclamation district, and body politic,  
7 operating pursuant to Article XVI, Section 59, of the Texas  
8 Constitution, exercising the rights, powers, privileges and  
9 authority granted a drainage district by Chapter 56, Water Code,  
10 and all other laws of the State of Texas relating to drainage  
11 districts, (all such laws being hereinafter referred to as "General  
12 Laws"). All such General Laws are hereby incorporated by this  
13 reference to the same effect as if set out in full in this Act. To  
14 the extent that the provisions of any such General Laws may be in  
15 conflict or inconsistent with the provisions of this Act, the  
16 provisions of this Act shall prevail. Without limitation of the  
17 generality of the foregoing the District shall be and it is hereby  
18 empowered to control, conserve, protect, distribute and utilize the  
19 storm and flood waters and unappropriated flow of waters within its  
20 boundaries for all useful purposes permitted by law; also to carry  
21 out flood prevention measures to prevent or aid in preventing  
22 damage to the lands of the District and the soil and fertility  
23 thereof, to cooperate with all other districts, departments or  
24 agencies of the state government, or departments and agencies of

1 the United States government, and to receive and accept technical  
2 and financial assistance therefrom in the accomplishment of said  
3 purposes. The said District is further authorized and empowered to  
4 purchase, construct, or in any other lawful manner to acquire,  
5 provide and develop all works, facilities and improvements  
6 necessary or useful in fulfilling the purposes of the District or  
7 any of them.

8 SECTION 2. The boundaries of the Hidalgo County Drainage  
9 District Number 1 are coterminous with Hidalgo County, Texas.

10 SECTION 3. In addition to the rights, powers, privileges  
11 and authority exercised by the Hidalgo County Drainage District  
12 Number 1, pursuant to the General Laws, the District is hereby  
13 authorized to exercise the powers granted and shall exercise the  
14 duties of a water improvement district imposed under Chapter 55,  
15 Water Code, for the preservation, conservation, protection,  
16 recharge, and prevention of waste and pollution of the waters and  
17 natural resources of the state, including for irrigation of the  
18 land within its boundaries and the treatment and delivery of water  
19 for domestic, power, and commercial purposes.

20 SECTION 4. (a) The legal notice of the intention to  
21 introduce this Act, setting forth the general substance of this  
22 Act, has been published as provided by law, and the notice and a  
23 copy of this Act have been furnished to all persons, agencies,  
24 officials, or entities to which they are required to be furnished  
25 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
26 Government Code.

27 (b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on  
2 Environmental Quality.

3 (c) The Texas Commission on Environmental Quality has filed  
4 its recommendations relating to this Act with the governor, the  
5 lieutenant governor, and the speaker of the house of  
6 representatives within the required time.

7 (d) All requirements of the constitution and laws of this  
8 state and the rules and procedures of the legislature with respect  
9 to the notice, introduction, and passage of this Act are fulfilled  
10 and accomplished.

11 SECTION 5. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2023, , except as otherwise provided  
16 by this Act.