

1-1 By: Canales (Senate Sponsor - Hinojosa) H.B. No. 5373
1-2 (In the Senate - Received from the House May 10, 2023;
1-3 May 10, 2023, read first time and referred to Committee on Local
1-4 Government; May 21, 2023, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-6 May 21, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Bettencourt	X		
1-10	Springer	X		
1-11	Eckhardt	X		
1-12	Gutierrez	X		
1-13	Hall	X		
1-14	Nichols	X		
1-15	Parker	X		
1-16	Paxton	X		
1-17	West	X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 5373 By: Gutierrez

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the powers and duties of the Hidalgo County Drainage
1-22 District No. 1.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle A, Title 6, Special District Local Laws
1-25 Code, is amended by adding Chapter 6609 to read as follows:

1-26 CHAPTER 6609. HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 6609.0101. DEFINITION. In this chapter, "district"
1-29 means the Hidalgo County Drainage District No. 1.

1-30 Sec. 6609.0102. NATURE OF DISTRICT. The district is a
1-31 conservation and reclamation district in Hidalgo County operating
1-32 under Section 59, Article XVI, Texas Constitution, as a drainage
1-33 district and a water improvement district.

1-34 Sec. 6609.0103. FINDINGS OF BENEFIT AND PURPOSE. (a) The
1-35 district is created to serve a public use and benefit.

1-36 (b) All land and other property included in the district
1-37 will benefit from the works and projects that are to be accomplished
1-38 by the district under powers conferred by Section 59, Article XVI,
1-39 Texas Constitution.

1-40 (c) The district is essential to accomplish the purposes of
1-41 Section 59, Article XVI, Texas Constitution.

1-42 SUBCHAPTER B. POWERS AND DUTIES

1-43 Sec. 6609.0201. GENERAL POWERS AND DUTIES. (a) The
1-44 district has all rights, powers, privileges, functions, and duties
1-45 provided by the general law of this state applicable to a drainage
1-46 district and a water improvement district created under Section 59,
1-47 Article XVI, Texas Constitution, including Chapters 49, 55, and 56,
1-48 Water Code.

1-49 (b) To the extent of a conflict between this chapter and
1-50 Chapter 49, 55, or 56, Water Code, this chapter prevails. To the
1-51 extent of a conflict between Chapters 55 and 56, Water Code, Chapter
1-52 55 prevails.

1-53 SECTION 2. (a) The legal notice of the intention to
1-54 introduce this Act, setting forth the general substance of this
1-55 Act, has been published as provided by law, and the notice and a
1-56 copy of this Act have been furnished to all persons, agencies,
1-57 officials, or entities to which they are required to be furnished
1-58 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
1-59 Government Code.

1-60 (b) The governor, one of the required recipients, has

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

2-3 (c) The Texas Commission on Environmental Quality has filed
2-4 its recommendations relating to this Act with the governor, the
2-5 lieutenant governor, and the speaker of the house of
2-6 representatives within the required time.

2-7 (d) All requirements of the constitution and laws of this
2-8 state and the rules and procedures of the legislature with respect
2-9 to the notice, introduction, and passage of this Act are fulfilled
2-10 and accomplished.

2-11 SECTION 3. This Act takes effect immediately if it receives
2-12 a vote of two-thirds of all the members elected to each house, as
2-13 provided by Section 39, Article III, Texas Constitution. If this
2-14 Act does not receive the vote necessary for immediate effect, this
2-15 Act takes effect September 1, 2023.

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