

By: LaMantia

S.B. No. 2234

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the provision of financial assistance by the Texas
3 Water Development Board for the development of certain projects in
4 economically distressed areas.

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

6 SECTION 1. Section 17.927(b), Water Code, is amended to
7 read as follows:

8 (b) The application and plan must include:

9 (1) the name of the political subdivision and its
10 principal officers;

11 (2) a citation of the law under which the political
12 subdivision was created and operates;

13 (3) a project plan, prepared and certified by an
14 engineer registered to practice in this state, that must:

15 (A) describe the proposed planning, design, and
16 construction activities necessary to provide water supply and sewer
17 services that meet minimum state standards provided by board rules;
18 and

19 (B) identify the households to which the water
20 supply and sewer services will be provided;

21 (4) a budget that estimates the total cost of
22 providing water supply and sewer services to the economically
23 distressed area and a proposed schedule and method for repayment of
24 financial assistance consistent with board rules and guidelines;

1 (5) a description of the existing water supply and
2 sewer facilities located in the area to be served by the proposed
3 project, including a statement prepared and certified by an
4 engineer registered to practice in this state that the facilities
5 do not meet minimum state standards;

6 (6) documentation that the appropriate political
7 subdivision has adopted and enforces the model rules developed
8 under Section 16.343;

9 (7) information identifying the median household
10 income for:

11 (A) the census block of the area to be served by
12 the proposed project; and

13 (B) the entire service area of the political
14 subdivision that is the subject of the application;

15 (8) the total amount of assistance requested from the
16 economically distressed areas account; and

17 (9) the water conservation plan required by Section
18 16.4021.

19 SECTION 2. Section 17.929, Water Code, is amended by adding
20 Subsection (c) to read as follows:

21 (c) In making a finding under Subsection (b) regarding the
22 household income of the area to be served by a proposed project, the
23 board may consider:

24 (1) the census block of the area served; or

25 (2) the entire service area of the political
26 subdivision that is the subject of the application.

27 SECTION 3. Section 17.933(b), Water Code, is amended to

1 read as follows:

2 (b) In providing financial assistance to an applicant under
3 this subchapter, the board may not provide to the applicant
4 financial assistance for which repayment is not required in an
5 amount that exceeds 70 [~~50~~] percent of the total amount of the
6 financial assistance [~~, unless the board or the Department of State
7 Health Services determines that a nuisance dangerous to the public
8 health and safety exists resulting from water supply and sanitation
9 problems in the area to be served by the proposed project~~]. The
10 board may provide the repayable portion of financial assistance
11 from any financial assistance program for which the applicant is
12 eligible. The applicant shall provide to the board or the
13 Department of State Health Services information necessary to make a
14 determination, and the board and the Department of State Health
15 Services may enter into necessary memoranda of understanding to
16 carry out this subsection.

17 SECTION 4. The changes in law made by this Act apply only to
18 an application for financial assistance submitted to the Texas
19 Water Development Board on or after the effective date of this Act.
20 An application submitted before the effective date of this Act is
21 governed by the law in effect immediately before the effective date
22 of this Act, and the former law is continued in effect for that
23 purpose.

24 SECTION 5. This Act takes effect September 1, 2023.