

By: Eiland

H.B. No. 919

A BILL TO BE ENTITLED

AN ACT

relating to the review and approval of drainage reports by certain special districts.

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

SECTION 1. Section 49.211, Water Code, is amended by amending Subsection (d) and adding Subsections (e), (f), and (g) to read as follows:

(d) If a district adopts a master drainage plan under Subsection (c)(1), the district may adopt rules relating to review and approval of proposed drainage plans submitted by property developers. The district, by rule, may require that a property developer who proposes to subdivide land located in the district, and who is otherwise required to obtain approval of the plat of the proposed subdivision from a municipality or county, submit for district approval a drainage report for the subdivision. The drainage report must include a map containing a description of the land to be subdivided. The map must show an accurate representation of:

(1) any existing drainage features, including drainage channels, streams, flood control improvements, and other facilities;

(2) any additional drainage facilities or connections to existing drainage facilities proposed by the property developer's plan for the subdivision; and

1           (3) any other parts of the property developer's plan  
2 for the subdivision that may affect drainage [~~A district that~~  
3 ~~reviews a proposed drainage plan under rules adopted under this~~  
4 ~~subsection shall, if the district fails to approve the proposed~~  
5 ~~plan, prepare a written report that identifies the areas that are~~  
6 ~~not in compliance with the district's master drainage plan or rules~~  
7 ~~adopted under Subsection (c)].~~

8           (e) The district shall review each drainage report  
9 submitted to the district under this section and shall approve a  
10 report if it shows compliance with:

11                   (1) the requirements of this section;

12                   (2) the district's master drainage plan adopted under  
13 Subsection (c)(1); and

14                   (3) the rules adopted by the district under  
15 Subsections (c)(2) and (d).

16           (f) On or before the 30th day after the date a drainage  
17 report is received, the district shall send notice of the  
18 district's approval or disapproval of the drainage report to:

19                   (1) the property developer; and

20                   (2) each municipal or county authority with  
21 responsibility for approving the plat of the proposed subdivision.

22           (g) If the district disapproves a drainage report, the  
23 district shall include in the notice of disapproval a written  
24 statement:

25                   (1) explaining the reasons for the rejection; and

26                   (2) recommending changes, if possible, that would make  
27 a revised version of the drainage report acceptable for approval.

1           SECTION 2. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2003.