

By: Eiland

H.B. No. 919

Substitute the following for H.B. No. 919:

By: Puente

C.S.H.B. No. 919

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the review and approval of drainage reports by certain  
3 special districts.

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

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

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

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

22 (2) any additional drainage facilities or connections  
23 to existing drainage facilities proposed by the property  
24 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.