

1-1 By: Eiland (Senate Sponsor - Armbrister) H.B. No. 919
1-2 (In the Senate - Received from the House May 5, 2003;
1-3 May 7, 2003, read first time and referred to Committee on Natural
1-4 Resources; May 19, 2003, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 19, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the review and approval of drainage reports by certain
1-9 special districts.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 49.211, Water Code, is amended by
1-12 amending Subsection (d) and adding Subsections (e), (f), and (g) to
1-13 read as follows:

1-14 (d) If a district adopts a master drainage plan under
1-15 Subsection (c)(1), the district may adopt rules relating to review
1-16 and approval of proposed drainage plans submitted by property
1-17 developers. The district, by rule, may require that a property
1-18 developer who proposes to subdivide land located in the district,
1-19 and who is otherwise required to obtain approval of the plat of the
1-20 proposed subdivision from a municipality or county, submit for
1-21 district approval a drainage report for the subdivision. The
1-22 drainage report must include a map containing a description of the
1-23 land to be subdivided. The map must show an accurate representation
1-24 of:

1-25 (1) any existing drainage features, including
1-26 drainage channels, streams, flood control improvements, and other
1-27 facilities;

1-28 (2) any additional drainage facilities or connections
1-29 to existing drainage facilities proposed by the property
1-30 developer's plan for the subdivision; and

1-31 (3) any other parts of the property developer's plan
1-32 for the subdivision that may affect drainage [~~A district that~~
1-33 ~~reviews a proposed drainage plan under rules adopted under this~~
1-34 ~~subsection shall, if the district fails to approve the proposed~~
1-35 ~~plan, prepare a written report that identifies the areas that are~~
1-36 ~~not in compliance with the district's master drainage plan or rules~~
1-37 ~~adopted under Subsection (c)].~~

1-38 (e) The district shall review each drainage report
1-39 submitted to the district under this section and shall approve a
1-40 report if it shows compliance with:

1-41 (1) the requirements of this section;

1-42 (2) the district's master drainage plan adopted under
1-43 Subsection (c)(1); and

1-44 (3) the rules adopted by the district under
1-45 Subsections (c)(2) and (d).

1-46 (f) On or before the 30th day after the date a drainage
1-47 report is received, the district shall send notice of the
1-48 district's approval or disapproval of the drainage report to:

1-49 (1) the property developer; and

1-50 (2) each municipal or county authority with
1-51 responsibility for approving the plat of the proposed subdivision.

1-52 (g) If the district disapproves a drainage report, the
1-53 district shall include in the notice of disapproval a written
1-54 statement:

1-55 (1) explaining the reasons for the rejection; and

1-56 (2) recommending changes, if possible, that would make
1-57 a revised version of the drainage report acceptable for approval.

1-58 SECTION 2. This Act takes effect immediately if it receives
1-59 a vote of two-thirds of all the members elected to each house, as
1-60 provided by Section 39, Article III, Texas Constitution. If this
1-61 Act does not receive the vote necessary for immediate effect, this
1-62 Act takes effect September 1, 2003.

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