

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 4, 2003

TO: Honorable Kenneth Armbrister, Chair, Senate Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB623 by Lindsay (Relating to the general powers and authority of water districts.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend provisions of the Water Code regarding the general powers and authority of certain water districts. Some of the more significant changes include providing an exemption from Texas Building Energy Performance Standards; exempting from review by the Texas Commission on Environmental Quality (TCEQ) refunding bonds if the original bonds or notes being refunded were previously approved by the TCEQ; authorizing a district to impose restrictions on the use of surplus lands after being sold; allowing a Municipal Utility District (MUD) to prohibit private on-site water wells; and changing bidding requirements to provide for economic incentives for early completion of work or economic disincentives for late completion of work.

The bill would require that a petition to obtain Road Utility District powers be submitted to TCEQ only. Under current statute, both the TCEQ and the Texas Transportation Commission are required to review applications by MUDs to acquire road district powers. The bill would delete references to a plan of reclamation and instead reflect the use of an engineer's report. The bill would repeal sections of the Water Code and the Transportation Code that would conflict with the changes proposed in the bill.

The bill would take effect immediately if it receives two-thirds vote in each house; otherwise, it would take effect September 1, 2003.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 580 Water Development Board, 582 Commission on Environmental Quality

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