

Amend CSSB 964 (committee printing) as follows:

(1) Strike SECTIONS 4 and 5 and substitute the following:

SECTION 4. Section 16.341, Water Code is amended by amending Subdivisions (1) and (2) to read as follows:

(1) "Affected county" means a county[+]

~~-(A)] that has an economically distressed area which has a median household income that is not greater than 75 percent of the median state household income [a per capita income that averaged 25 percent below the state average for the most recent three consecutive years for which statistics are available and an unemployment rate that averaged 25 percent above the state average for the most recent three consecutive years for which statistics are available, or~~

~~-(B) that is adjacent to an international border].~~

(2) "Economically distressed area" has the meaning assigned by Section 17.921 ~~[means an area in which:~~

~~[(A) water supply or sewer services are inadequate to meet minimal needs of residential users as defined by board rules,~~

~~[(B) financial resources are inadequate to provide water supply or sewer services that will satisfy those needs, and~~

~~[(C) an established residential subdivision was located on June 1, 1989, as determined by the board].~~

SECTION 5. Subsections (b) and (c) of Section 16.343, Water Code, are amended to read as follows:

(b) The model rules must:

(1) assure that adequate drinking water is available to the residential areas in accordance with Chapter 341, Health and Safety Code, and the Rules and Regulations for Public Water Systems and the Drinking Water Standards Governing Water Quality and Reporting Requirements for Public Water Supply Systems adopted by the commission ~~[Texas Board of Health]~~ and other law and rules applicable to drinking water; and

(2) provide criteria applicable to tracts that were divided into two or more parts to lay out a subdivision and were not platted or recorded before September 1, 2005 ~~[1989]~~.

(c) The model rules must:

(1) assure that adequate sewer facilities are available to the residential areas through either septic tanks or an organized sewage disposal system that is a publicly or privately owned system for the collection, treatment, and disposal of sewage operated in accordance with the terms and conditions of a valid waste discharge permit issued by the commission or private sewage facilities in accordance with Chapter 366, Health and Safety Code, and the Construction Standards for On-Site Sewerage Facilities adopted by the commission and other law and rules applicable to sewage facilities; and

(2) provide criteria applicable to tracts that were divided into two or more parts to lay out a subdivision and were not platted or recorded before September 1, 2005 [~~1989~~].

(2) Strike SECTIONS 8 and 9 and substitute the following:

SECTION 8. Section 17.921, Water Code is amended by amending subdivision (1) and adding subdivision (6) to read as follows:

(1) "Economically distressed area" means an area in which:

(A) water supply or sewer services are inadequate to meet minimal needs of residential users as defined by board rules;

(B) financial resources are inadequate to provide water supply or sewer services that will satisfy those needs; and

(C) an established residential subdivision was located on June 1, 2005 [~~1989~~], as determined by the board.

(6) "Economically distressed areas account" means the economically distressed areas account in the Texas Water Development Fund or the economically distressed areas program account in the Texas Water Development Fund II.

SECTION 9. Section 17.922(b), Water Code, is amended to read as follows:

(b) To the extent practicable, the board shall use the funds in the economically distressed areas account in conjunction with the other financial assistance available through the board to

encourage the use of cost-effective water supply and wastewater systems, including regional systems, to maximize the long-term economic development of counties eligible for financial assistance under the economically distressed areas program. Any savings derived from the construction of a regional system that includes or serves an economically distressed area project shall be factored into the board's determination of financial assistance for the economically distressed area in a manner that assures the economically distressed area receives appropriate benefits from the savings. In no event shall financial assistance provided from the economically distressed areas account be used to provide water supply or wastewater service to any area that is not ~~[defined as]~~ an economically distressed area ~~[pursuant to Section 17.921(1)(A) of this code]~~.

(3) Strike SECTION 14 of the bill.

(4) Strike SECTION 15 of the bill and substitute the following:

SECTION 15. Section 17.952, Water Code, is amended to read as follows:

Sec. 17.952. ISSUANCE OF WATER FINANCIAL ASSISTANCE BONDS. The board by resolution may provide for the issuance of water financial assistance bonds, which shall be general obligation bonds of the state, in an aggregate principal amount not to exceed the principal amount authorized to be issued by ~~[Section 49-d-8, Article III,]~~ the Texas Constitution.

(5) Adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION _____. Section 212.0105, Local Government Code, is amended to read as follows:

Sec. 212.0105. WATER AND SEWER REQUIREMENTS IN CERTAIN COUNTIES. (a) This section applies only to a person who:

- (1) is the owner of a tract of land in ~~[either,~~
 - ~~(A) a county that is contiguous to an international border, or~~
 - ~~(B)]~~ a county in which a political subdivision that is eligible for and has applied for ~~[has received]~~ financial

assistance through Subchapter K, Chapter 17, Water Code;

(2) divides the tract in a manner that creates any lots that are intended for residential purposes and are five acres or less; and

(3) is required under this subchapter to have a plat prepared for the subdivision.