

BILL ANALYSIS

C.S.H.B. 2267
By: Smith, Wayne
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The 60th Texas Legislature created the Coastal Water Authority as a conservation and reclamation district in Chambers, Liberty and Harris counties pursuant to Chapter 601, Acts of the 60th Legislature, Regular Session, 1967. The Authority is governed by a board of seven directors, three of which are appointed by the governor and four of which are appointed by the Mayor of the City of Houston with the advice and consent of the City Council. Chapter 601 has been amended several times by subsequent acts of the Texas Legislature. The Coastal Water Authority's principal activity has been the conveyance of the City of Houston's water in the Trinity River to points of use in the Harris County area. The water conveyance projects of the Authority have been financed and constructed in cooperation with the City of Houston.

C.S.H.B. 2267 clarifies the powers and duties and provides additional powers to the Coastal Water Authority (the Authority).

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1.

C.S.H.B. 2267 clarifies that the Authority has the power to become involved in desalination water projects and projects to reclaim water.

SECTION 2.

C.S.H.B. 2267 grants the Authority the power to develop and generate electric energy for its own use or for the City of Houston by wind turbines or hydroelectric facilities. The bill also authorizes the Authority to create a Local Government Corporation in the same manner and with the same authority as such a corporation can be created by a city, a county or a navigation district pursuant to Chapter 431, Transportation Code. C.S.H.B. 2267 also authorizes the Authority to use the bed and banks of rivers and streams of the State in transporting and conveying water to points of use and construct improvements within the rivers and streams. The bill authorizes the Authority to issue un-rated bond anticipation notes without obtaining ratings for the notes.

SECTION 3.

C.S.H.B. 2267 provides that the Authority may finance its parks and recreational facilities in the manner provided by Chapter 49, Water Code (provisions applicable to all districts).

SECTION 4.

C.S.H.B. 2267 provides that all acts and proceedings of the Authority taken before the effective date of the Act are validated and confirmed in all respects as if the actions had been done as authorized by law. This provision does not apply to any matter that, on the effective date of this Act, is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of the court, or has been held invalid by a final judgment of the court.

C.S.H.B. 2267 79(R)

SECTION 5.

C.S.H.B. 2267 provides for immediate effect if it receives a vote of two-thirds of all members of each house; otherwise, if it does not receive the requisite vote, September 1, 2005.

EFFECTIVE DATE

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute removes language regarding the Authority's power to transmit and distribute electric power. In addition, the substitute limits the development of electric power by stating that it can be used by the Authority or for the City of Houston.