

BILL ANALYSIS

C.S.H.B. 2639
By: Geren
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Tarrant Regional Water District (TRWD), a Water Control and Improvement District, was created by the 55th Legislature in 1957 and is located in Tarrant County, Texas.

TRWD is currently working on upgrading and improving stormwater runoff and flooding controls in downtown Fort Worth while providing environmental mitigation for past and future runoff and flood control projects. This program will provide opportunities for downtown beautification. To avoid an argument that TRWD is not authorized by its current enabling statute to assist in downtown beautification or redevelopment, C.S.H.B. 2639 would authorize TRWD to promote economic development within its boundaries and to create a non-profit corporation strictly for economic development purposes to manage and develop this project.

C.S.H.B. 2639 will also allow the district to seek competitive proposals when the board determines it is necessary. In certain situations, particularly when dealing with technological and innovative products that are frequently involved in water and stormwater projects it is impractical or impossible to develop competitive bids. By having the ability to seek competitive proposals in these instances, the district will be better able to identify and use the best technology that makes economic sense when completing a project.

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. Amends enabling legislation of TRWD to include the authority to make and enforce reasonable rules including securing and maintaining safe and adequate plumbing of sanitary sewer systems, preserving the sanitary condition of all land and water controlled by the district, preventing the waste or unauthorized use of water, regulating all recreational and business privileges in the district that could adversely affect the purity of the water in this state and promoting state and local economic development activities within the district boundaries.

SECTION 2. Allows the board of directors to conclusively determine whether a project serves the purposes of which the district was created or authorized.

SECTION 3. Clarifies existing language in TRWD enabling language which would allow the district to acquire or construct recreational facilities.

SECTION 4. Grants TRWD the authority to promote economic development and establishes various allowable uses for any economic development program that is adopted by the board of directors.

SECTION 5. Authorizes TRWD to create a non-profit corporation for the sole purpose of promoting economic development activities. Provides a framework for the establishment of the economic development program and authorizes certain administrative functions. Provides that the corporation created under this section may exercise any power of the district, subject to certain limitations. The Board shall appoint the directors of the corporation created under this section.

SECTION 6. Amends enabling legislation of Tarrant Regional Water District to authorize the district to utilize the competitive proposal method when the board determines it is in the district's best interest to do so.

SECTION 7. Effective Date.

EFFECTIVE DATE

The Act takes effect on September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The committee substitute makes conforming changes by amending the filed version of the bill to fit the drafting requirements of the Texas Legislative Council.