

By: Bailey, Howard, Olivo

H.B. No. 467

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the financing of water and sewer programs and the
3 provision of sewer connections in disadvantaged areas in certain
4 counties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter A, Chapter 15, Water Code, is amended
7 by adding Section 15.009 to read as follows:

8 Sec. 15.009. ELIGIBILITY FOR FINANCIAL ASSISTANCE FOR
9 ECONOMICALLY DISTRESSED AREAS. Notwithstanding other provisions
10 of this chapter, Chapter 16, or Chapter 17, a county with a
11 population of three million or more or a county with a population of
12 350,000 or more that is adjacent to a county with a population of
13 three million or more is eligible for any financial assistance
14 available under this chapter, Chapter 16, or Chapter 17 for
15 providing water and sewer services, connections to water and sewer
16 services, and any other assistance related to water and sewer
17 services in economically distressed areas of the county.

18 SECTION 2. Sections 16.343(f) and (g), Water Code, are
19 amended to read as follows:

20 (f) Notwithstanding any other law to the contrary, the only
21 kind of county that may adopt the model rules is:

22 (1) an affected county; or

23 (2) a county described by Section 15.009.

24 (g) Before an application for funds under Section 15.407 or

1 Subchapter P, Chapter 15, or Subchapter K, Chapter 17, may be
2 considered by the board, a political subdivision must adopt the
3 model rules pursuant to this section. A county described by Section
4 15.009 may limit the applicability of the model rules to the portion
5 of the county for which the application is made. If the applicant
6 is a district, nonprofit water supply corporation, or colonia, the
7 applicant must be located in a city or county that has adopted such
8 rules. Applicants for funds under Section 15.407 or Subchapter P,
9 Chapter 15, or Subchapter K, Chapter 17, may not receive funds under
10 those provisions unless the applicable political subdivision
11 adopts and enforces the model rules.

12 SECTION 3. Subchapter K, Chapter 17, Water Code, is amended
13 by adding Section 17.9345 to read as follows:

14 Sec. 17.9345. SEWER CONNECTIONS IN MUNICIPALITIES IN
15 ECONOMICALLY DISTRESSED AREAS. (a) On request of an owner or
16 occupant of land located in a municipality on which a new
17 residential structure is being constructed and that is adjacent to
18 a street, the municipality shall provide sewer service connections
19 on both sides of the street.

20 (b) The cost of providing sewer service connections under
21 Subsection (a) shall be borne by the municipality.

22 SECTION 4. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2005.