

1-1 By: Callegari (Senate Sponsor - Fraser) H.B. No. 828
1-2 (In the Senate - Received from the House April 18, 2005;
1-3 April 19, 2005, read first time and referred to Committee on
1-4 Natural Resources; May 6, 2005, reported favorably by the
1-5 following vote: Yeas 9, Nays 0; May 6, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the authority of the Texas Commission on Environmental
1-9 Quality over the issuance of certain district bonds.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 49.181(a), Water Code, as amended by
1-12 Chapters 248 and 608, Acts of the 78th Legislature, Regular
1-13 Session, 2003, is reenacted and amended to read as follows:

1-14 (a) A district may not issue bonds unless the commission
1-15 determines that the project to be financed by the bonds is feasible
1-16 and issues an order approving the issuance of the bonds. This
1-17 section does not apply to:

1-18 (1) refunding bonds if the commission issued an order
1-19 approving the issuance of the bonds or notes that originally
1-20 financed the project;

1-21 (2) refunding bonds that are issued by a district
1-22 under an agreement between the district and a municipality allowing
1-23 the issuance of the district's bonds to refund bonds issued by the
1-24 municipality to pay the cost of financing facilities; ~~or~~

1-25 (3) bonds issued to and approved by the Farmers Home
1-26 Administration, the United States Department of Agriculture, the
1-27 North American Development Bank, or the Texas Water Development
1-28 Board; or

1-29 (4) refunding bonds issued to refund bonds described
1-30 by Subdivision (3).

1-31 SECTION 2. This Act takes effect immediately if it receives
1-32 a vote of two-thirds of all the members elected to each house, as
1-33 provided by Section 39, Article III, Texas Constitution. If this
1-34 Act does not receive the vote necessary for immediate effect, this
1-35 Act takes effect September 1, 2005.

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