

By: Fraser

S.B. No. 355

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of the Texas Commission on Environmental
3 Quality over the issuance of certain district bonds.

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

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

8 (a) A district may not issue bonds unless the commission
9 determines that the project to be financed by the bonds is feasible
10 and issues an order approving the issuance of the bonds. This
11 section does not apply to:

12 (1) refunding bonds if the commission issued an order
13 approving the issuance of the bonds or notes that originally
14 financed the project;

15 (2) refunding bonds that are issued by a district
16 under an agreement between the district and a municipality allowing
17 the issuance of the district's bonds to refund bonds issued by the
18 municipality to pay the cost of financing facilities; ~~or~~

19 (3) bonds issued to and approved by the Farmers Home
20 Administration, the United States Department of Agriculture, the
21 North American Development Bank, or the Texas Water Development
22 Board; or

23 (4) refunding bonds issued to refund bonds described
24 by Subdivision (3).

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