

## **BILL ANALYSIS**

C.S.H.B. 462  
By: Miller  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

During the 78th Legislative Session, the Texas Legislature approved H.B. 2425 which removed the burden of storm water drainage fees from colleges and universities. In small communities however, this has placed an undue hardship on citizens funding these water drainage projects when a large use of the storm water drains comes from the colleges and universities in the area. Often these colleges make up a significant amount of the population in smaller communities. C.S.H.B. 462 would keep the exemption for colleges and universities from paying this fee only in municipalities with a population of 25,000 or more.

### **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. Section 430.003, Local Government Code, is amended as follows:

Subsection (a) Except as provided by Subsection (b), no county, municipality, or utility district may collect from a state agency or public institution of higher education any fee charged for the development or maintenance of programs of facilities for the control of excess water or storm water. (b) A municipality with a population of 25,000 or less and through with the Bosque River runs may collect from a state agency or public institution of higher education a fee charged for the development or maintenance of programs of facilities for the control of excess water or storm water.

SECTION 2. Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The introduced version amends Section 430.003, Local Government Code, to state that colleges and universities are exempt from any fee charged for the development or maintenance of programs of facilities for the control of excess water or storm water in municipalities with a population of 25,000 or more. The substitute provides that only a municipality with a population of 25,000 or less and through which the Bosque River runs may collect from a state agency or public institution of higher education a fee charged for the development of maintenance of programs of facilities for the control of excess water or storm water.