

BILL ANALYSIS

H.B. 3018
By: Puente
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 1999, the Texas Legislature passed HB 732 allowing Harris County to take any necessary or proper action to comply with the requirements of the storm water permitting program under the national pollutant discharge elimination system (NPDES) established by the Federal Water Pollution Control Act.

In 2003, the Texas Legislature passed HB 2031 allowing Bexar County to comply with NPDES requirements. The bill was also intended, as stated in the bill analysis for HB 2031, to allow the assessment of charges to fund NPDES programs. However, a more definitive authorization in Section 423.002, Local Government Code, is necessary to assess these charges with legal certainty.

H.B. 3018 amends Section 423.002, Local Government Code, by authorizing a county, district, or authority to assess reasonable charges to fund the implementation, administration, and operation of the storm water permitting program under the NPDES established by the Federal Water Pollution Control Act.

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

HB 3018 amends Section 423.002, Local Government Code, by authorizing a county, district, or authority to assess reasonable charges to fund the implementation, administration, and operation of the storm water permitting program under the NPDES established by the Federal Water Pollution Control Act. A county, district, or authority may not assess a charge against property that is exempt from ad valorem taxes or subject to an assessment for the same purpose by another entity.

EFFECTIVE DATE

September 1, 2007.