

By: Deshotel

H.B. No. 3634

A BILL TO BE ENTITLED

AN ACT

relating to the name and powers of the Jefferson County Waterway and Navigation District.

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

SECTION 1. Chapter 1472, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Section 1A to read as follows:

Sec. 1A. NAME OF DISTRICT. (a) The name of the Jefferson County Waterway and Navigation District is changed to the "Sabine-Neches Navigation District of Jefferson County, Texas."

(b) A reference in law to the Jefferson County Waterway and Navigation District means the Sabine-Neches Navigation District of Jefferson County, Texas.

SECTION 2. Section 2, Chapter 1472, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 2. DEFINITIONS. In this Act:

(1) "Commission" means the navigation and canal commission of the district.

(2) "Commissioners court" means the Jefferson County Commissioners Court.

(3) [~~(2)~~] "District" means the Sabine-Neches Navigation District of Jefferson County, Texas [~~Waterway and Navigation District~~].

SECTION 3. Chapter 1472, Acts of the 77th Legislature,

1 Regular Session, 2001, is amended by adding Section 6A to read as  
2 follows:

3 Sec. 6A. SECURITY AND LAW ENFORCEMENT. (a) The commission  
4 may adopt, amend, repeal, and enforce an ordinance, rule, or police  
5 regulation necessary to:

6 (1) protect, secure, and defend the ship channels and  
7 waterways in the jurisdiction of the district and facilities served  
8 by those ship channels and waterways;

9 (2) promote the health, safety, and general welfare of  
10 any person using the ship channels and waterways in the  
11 jurisdiction of the district; and

12 (3) comply with a federal law or regulation or  
13 implement a directive or standard of the federal government,  
14 including the United States Department of Homeland Security and the  
15 United States Coast Guard, relating to securing ship channels and  
16 waterways and facilities served by ship channels and waterways and  
17 preventing terrorist attacks on ship channels, waterways,  
18 associated maritime facilities, and other facilities served by ship  
19 channels and waterways.

20 (b) In the enforcement of a district ordinance, rule, or  
21 police regulation, a sheriff, constable, or other duly constituted  
22 peace officer of this state or a peace officer employed or appointed  
23 by the commission may make arrests, serve criminal warrants,  
24 subpoenas, or writs, and perform any other service or duty that may  
25 be performed by any sheriff, constable, or other duly constituted  
26 peace officer of this state in enforcing other laws of this state.

27 (c) In adopting an ordinance, rule, or police regulation

1 under Subsection (a) of this section, the commission shall comply  
2 with the procedures provided by Sections 60.074 and 60.075, Water  
3 Code.

4 (d) The district may enter into an interlocal agreement with  
5 this state or a county, municipality, or other political  
6 subdivision of this state to jointly provide, and share the costs  
7 of, security for the ship channels and waterways in the  
8 jurisdiction of the district.

9 (e) To protect the public interest, the district may  
10 contract with a qualified party, including the federal government  
11 or Jefferson County, for the provision of law enforcement services  
12 in all or part of the jurisdiction of the district for a fee. The  
13 district may establish fees, charges, and tolls to offset the cost  
14 of law enforcement services provided under a contract.

15 (f) To cover the costs incurred by the district in providing  
16 security for the ship channels and waterways in the jurisdiction of  
17 the district, the district may:

18 (1) impose fees, charges, and tolls for the use of  
19 those channels and waterways; or

20 (2) use other revenues or funds of the district.

21 SECTION 4. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2007.