

By: Janek

S.B. No. 1798

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. Section 1(a), Chapter \_\_, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

Sec. 1. CREATION. (a) A navigation district, to be known as the ~~[Jefferson County Waterway and Navigation District]~~ Sabine-Neches Navigation District of Jefferson County, Texas, is created in Jefferson County, subject to approval at a confirmation election under Section 10 of this Act. The district is a governmental agency and a body politic and corporate.

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

Sec. 2. DEFINITIONS. In this Act:

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

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

SECTION 3. Chapter \_\_, Acts of the 77th Legislature, Regular Session, 2001, is amended by adding Section 6(c) as follows:

SECTION 6(c) AUTHORITY TO PROVIDE SECURITY AND LAW

1 ENFORCEMENT FOR SHIP CHANNELS AND WATERWAYS.

2 (1) The commission of the District may pass, amend,  
3 repeal and enforce any ordinance rule, or police regulation which  
4 is not contrary to the constitution or laws of this state and the  
5 United States and which is necessary to:

6 (i) protect, secure and defend ship  
7 channels, waterways and facilities the waterway serves within its  
8 boundaries and outside but adjacent to its boundaries and extending  
9 into the Gulf of Mexico.

10 (ii) to promote the health, safety and  
11 general welfare of persons using the ship channels and waterways  
12 within its boundaries; and

13 (iii) to require compliance with the laws  
14 and regulations of and/or to implement the directives and standards  
15 of the United States government (including without limitation the  
16 Department of Homeland Security and the United States Coast Guard)  
17 relating to securing ship channels, waterways and served facilities  
18 and preventing terrorist attacks on ship channels, waterways,  
19 maritime facilities associated therewith and facilities that the  
20 waterways serve.

21 (2) In the enforcement of any ordinance, rule or  
22 regulation of the District, any sheriff, constable, or other duly  
23 constituted peace officer of the State of Texas or any peace officer  
24 employed or appointed by the commission may make arrests, serve  
25 criminal warrants, subpoenas or writs, and perform any other  
26 service or duty which may be performed by any sheriff, constable, or  
27 other duly constituted peace officer of the State of Texas in

1 enforcing other laws of this State.

2 (c) Any ordinance rule or police regulation adopted  
3 pursuant to subsection (a) shall be adopted in accordance with the  
4 procedures provided in Sections 60.074-60.075, Texas Water Code.

5 (d) The District may enter into one or more interlocal  
6 agreements with the State of Texas, one or more counties,  
7 municipalities and other political subdivisions of the State of  
8 Texas to jointly provide security for the ship channels and  
9 waterways within the District's boundaries and to share in the  
10 costs thereof. To protect the public interest, the district may  
11 contract with a qualified party, including the federal government  
12 or Jefferson County, for the provision of law enforcement services  
13 in all or part of the district for a fee. The district may establish  
14 fees, charges, and tolls to offset the cost of any law enforcement  
15 services provided by any such qualified party.

16 (e) The District may fix proper fees, charges and tolls for  
17 the use of ship channels and waterways in its jurisdiction and any  
18 other revenues or funds of the District to provide security for the  
19 ship channels and waterways as provided herein.

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