

1-1 By: Williams S.B. No. 1881  
1-2 (In the Senate - Filed March 9, 2007; March 22, 2007, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 April 23, 2007, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 10, Nays 0; April 23, 2007,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1881 By: Hinojosa

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the name and powers of the Jefferson County Waterway and  
1-11 Navigation District.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 1472, Acts of the 77th Legislature,  
1-14 Regular Session, 2001, is amended by adding Section 1A to read as  
1-15 follows:

1-16 Sec. 1A. NAME OF DISTRICT. (a) The name of the Jefferson  
1-17 County Waterway and Navigation District is changed to the  
1-18 "Sabine-Neches Navigation District of Jefferson County, Texas."

1-19 (b) A reference in law to the Jefferson County Waterway and  
1-20 Navigation District means the Sabine-Neches Navigation District of  
1-21 Jefferson County, Texas.

1-22 SECTION 2. Section 2, Chapter 1472, Acts of the 77th  
1-23 Legislature, Regular Session, 2001, is amended to read as follows:

1-24 Sec. 2. DEFINITIONS. In this Act:

1-25 (1) "Commission" means the navigation and canal  
1-26 commission of the district.

1-27 (2) "Commissioners court" means the Jefferson County  
1-28 Commissioners Court.

1-29 (3) ~~(2)~~ "District" means the Sabine-Neches  
1-30 Navigation District of Jefferson County, Texas [Waterway and  
1-31 Navigation District].

1-32 SECTION 3. Chapter 1472, Acts of the 77th Legislature,  
1-33 Regular Session, 2001, is amended by adding Section 6A to read as  
1-34 follows:

1-35 Sec. 6A. SECURITY AND LAW ENFORCEMENT. (a) The commission  
1-36 may adopt, amend, repeal, and enforce an ordinance, rule, or police  
1-37 regulation necessary to:

1-38 (1) protect, secure, and defend the ship channels and  
1-39 waterways in the jurisdiction of the district and facilities served  
1-40 by those ship channels and waterways;

1-41 (2) promote the health, safety, and general welfare of  
1-42 any person using the ship channels and waterways in the  
1-43 jurisdiction of the district; and

1-44 (3) comply with a federal law or regulation or  
1-45 implement a directive or standard of the federal government,  
1-46 including the United States Department of Homeland Security and the  
1-47 United States Coast Guard, relating to securing ship channels and  
1-48 waterways and facilities served by ship channels and waterways and  
1-49 preventing terrorist attacks on ship channels, waterways,  
1-50 associated maritime facilities, and other facilities served by ship  
1-51 channels and waterways.

1-52 (b) In the enforcement of a district ordinance, rule, or  
1-53 police regulation, a sheriff, constable, or other duly constituted  
1-54 peace officer of this state or a peace officer employed or appointed  
1-55 by the commission may make arrests, serve criminal warrants,  
1-56 subpoenas, or writs, and perform any other service or duty that may  
1-57 be performed by any sheriff, constable, or other duly constituted  
1-58 peace officer of this state in enforcing other laws of this state.

1-59 (c) In adopting an ordinance, rule, or police regulation  
1-60 under Subsection (a) of this section, the commission shall comply  
1-61 with the procedures provided by Sections 60.074 and 60.075, Water  
1-62 Code.

1-63 (d) The district may enter into an interlocal agreement with

2-1 this state or a county, municipality, or other political  
2-2 subdivision of this state to jointly provide, and share the costs  
2-3 of, security for the ship channels and waterways in the  
2-4 jurisdiction of the district.

2-5 (e) To protect the public interest, the district may  
2-6 contract with a qualified party, including the federal government  
2-7 or Jefferson County, for the provision of law enforcement services  
2-8 in all or part of the jurisdiction of the district for a fee. The  
2-9 district may establish fees, charges, and tolls to offset the cost  
2-10 of law enforcement services provided under a contract.

2-11 (f) To cover the costs incurred by the district in providing  
2-12 security for the ship channels and waterways in the jurisdiction of  
2-13 the district, the district may:

2-14 (1) except as provided by Subsection (g) of this  
2-15 section, impose fees, charges, and tolls for the use of those  
2-16 channels and waterways; or

2-17 (2) use other revenues or funds of the district.

2-18 (g) The district may not impose a fee, charge, or toll under  
2-19 Subsection (f)(1) of this section on an oceangoing vessel docking  
2-20 at a public dock of either of the following navigation districts  
2-21 unless approved by the board of port commissioners of the  
2-22 navigation district at which the vessel docks:

2-23 (1) the Port of Beaumont Navigation District of  
2-24 Jefferson County, Texas; or

2-25 (2) the Port of Port Arthur Navigation District of  
2-26 Jefferson County, Texas.

2-27 SECTION 4. This Act takes effect immediately if it receives  
2-28 a vote of two-thirds of all the members elected to each house, as  
2-29 provided by Section 39, Article III, Texas Constitution. If this  
2-30 Act does not receive the vote necessary for immediate effect, this  
2-31 Act takes effect September 1, 2007.

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