

1-1 By: Uresti S.B. No. 1932
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 18, 2007, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; April 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the assessment of charges by certain local governments
1-9 to fund a stormwater permitting program under federal law.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 423.002, Local Government Code, is
1-12 amended to read as follows:

1-13 Sec. 423.002. GENERAL AUTHORITY. (a) A county, district,
1-14 or authority may take any necessary or proper action to comply with
1-15 the requirements of the stormwater permitting program under the
1-16 national pollutant discharge elimination system (Section 402,
1-17 Federal Water Pollution Control Act (33 U.S.C. Section 1342)),
1-18 including:

1-19 (1) developing and implementing controls to reduce the
1-20 discharge of pollutants from any conveyance or system of conveyance
1-21 owned or operated by the county, district, or authority that is
1-22 designed for collecting or conveying stormwater;

1-23 (2) developing, implementing, and enforcing
1-24 stormwater management guidelines, design criteria, or rules to
1-25 reduce the discharge of pollutants into any conveyance or system of
1-26 conveyance owned or operated by the county, district, or authority
1-27 that is designed for collecting or conveying stormwater;

1-28 (3) assisting residents with the proper management of
1-29 used oil and toxic materials, including the holding of household
1-30 hazardous waste collection events; ~~and~~

1-31 (4) developing and providing educational tools and
1-32 activities designed to reduce or lead to the reduction of the
1-33 discharge of pollutants into stormwater; and

1-34 (5) assessing reasonable charges to fund the
1-35 implementation, administration, and operation of the stormwater
1-36 permitting program as necessary to comply with federal or state
1-37 program requirements.

1-38 (b) Notwithstanding Subsection (a)(5), a county, district,
1-39 or authority may not assess a charge against property that is:

1-40 (1) exempt from ad valorem taxation; or

1-41 (2) subject to an assessment for the same purpose by
1-42 another entity.

1-43 SECTION 2. This Act takes effect September 1, 2007.

1-44 * * * * *