

SENATE AMENDMENTS

2nd Printing

By: Gallego

H.B. No. 3475

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain counties to acquire, construct, or operate a water supply system or sewage system and own or operate a utility.

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

SECTION 1. Subchapter B, Chapter 412, Local Government Code, is amended by adding Section 412.017 to read as follows:

Sec. 412.017. WATER SUPPLY AND SEWAGE SYSTEM FOR CERTAIN BORDER COUNTIES. (a) This section applies only to a county:

(1) that is located adjacent to an international border; and

(2) in which a military installation is located.

(b) The commissioners court of a county to which this section applies may acquire, construct, or operate a water supply system or sewage system to serve:

(1) unincorporated areas of the county; and

(2) areas initially included in a municipality on or after September 1, 2007, in which the municipality does not provide water or sewer services.

(c) The county may enter a management or lease agreement with another public or private entity for the operation of a county water or sewage system acquired or constructed under this section.

(d) The county may apply for and receive grants or other assistance from a state or federal governmental entity to implement

1 this section.

2 (e) The county may own, operate, or maintain a water or
3 sewer utility in the same manner as a municipality under Chapter
4 402.

5 (f) A county may not construct, operate, or maintain a water
6 supply system or sewage system in an area previously served by the
7 county's water supply or sewage system after the area is annexed by
8 a municipality and the municipality begins providing to the area
9 water or sewer services previously provided by the county.

10 SECTION 2. This Act takes effect September 1, 2007.

ADOPTED

MAY 23 2007

COMMITTEE AMENDMENT NO. _____

DeWayne Spivey
Secretary of the Senate BY: *[Signature]*

1 Amend H.B. No. 3475 (House Engrossment) as follows:

2 (1) In SECTION 1 of the bill, on page 1, line 12, strike "is"
3 and substitute with "and a national recreation are".

4 (2) In SECTION 1 of the bill, in proposed Section 412.017,
5 Local Government Code, strike Subsection (b) (page 1, lines 13-19),
6 and substitute the following:

7 (b) The commissioners court of a county to which this section
8 applies may acquire, construct, or operate a water supply system or
9 a sewage system to serve unincorporated areas of the county.

10 (3) In SECTION 1 of the bill, in proposed Section 412.017,
11 Local Government Code (page 2, between lines 9 and 10), insert the
12 following:

13 (g) This section does not authorize a county to sell water
14 for a purpose other than for local use.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 18, 2007

TO: Honorable Kip Averitt, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB3475** by Gallego (Relating to the authority of certain counties to acquire, construct, or operate a water supply system or sewage system and own or operate a utility.), **Committee Report 2nd House, As Amended**

No fiscal implication to the State is anticipated.

The bill would add Section 412.017 to Subchapter B of Chapter 412, Local Government Code, regarding a water supply and sewage system for counties located adjacent to an international border and in which a military installation is located. Those criteria apply only to El Paso County and Val Verde County.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, WK, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 11, 2007

TO: Honorable Kip Averitt, Chair, Senate Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3475 by Gallego (Relating to the authority of certain counties to acquire, construct, or operate a water supply system or sewage system and own or operate a utility.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would add Section 412.017 to Subchapter B of Chapter 412, Local Government Code, regarding a water supply and sewage system for counties located adjacent to an international border and in which a military installation is located. Those criteria apply only to El Paso County and Val Verde County.

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Source Agencies:

LBB Staff: JOB, WK, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 1, 2007

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3475 by Gallego (Relating to the authority of certain counties to acquire, construct, or operate a water supply system or sewage system and own or operate a utility.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would add Section 412.017 to Subchapter B of Chapter 412, Local Government Code, regarding a water supply and sewage system for counties located adjacent to an international border and in which a military installation is located. Those criteria apply only to El Paso County and Val Verde County.

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Source Agencies:

LBB Staff: JOB, WK, DB

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 1, 2007

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3475 by Gallego (Relating to the authority of certain counties to acquire, construct, or operate a water supply system or sewage system and own or operate a utility.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would add Section 412.017 to Subchapter B of Chapter 412, Local Government Code, regarding a water supply and sewage system for counties located adjacent to an international border and in which a military installation is located. Those criteria apply only to El Paso County and Val Verde County.

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