

Amend CSHB 3526 (Senate committee printing) at ARTICLE 4 (page 8, line 26) by inserting the following new ARTICLE 4 and renumbering the subsequent articles accordingly:

ARTICLE 4. GRANTS BY THE TEXAS WATER DEVELOPMENT BOARD
FOR WATER AND WASTEWATER SYSTEM IMPROVEMENTS
IN ECONOMICALLY DISTRESSED AREAS

SECTION 4.01. Subsections (b) and (c), Section 17.933, Water Code, are amended to read as follows:

(b) In providing financial assistance to an applicant under this subchapter, the board may not provide to the applicant financial assistance in the form of a grant ~~[for which repayment is not required]~~ in an amount that exceeds 50 percent of the total cost of a proposed project ~~[amount of the financial assistance plus interest on any amount that must be repaid,]~~ unless the Texas Department of State Health Services issues a determination ~~[finding]~~ that a nuisance dangerous to the public health and safety exists resulting from water supply and sanitation problems in the area to be served by the proposed project. The board and the applicant shall provide to the Texas Department of State Health Services information necessary to make a determination, and the board and the Texas Department of State Health Services may enter into necessary memoranda of understanding to carry out this subsection.

(c) In providing financial assistance under this subchapter, the board may combine a grant made under this subchapter with a loan from any other source, including another program administered by the board ~~[The total amount of financial assistance provided by the board to political subdivisions under this subchapter from state-issued bonds for which repayment is not required may not exceed at any time 90 percent of the total principal amount of issued and unissued bonds authorized under Article III of the Texas Constitution, for purposes of this subchapter plus outstanding interest on those bonds].~~

SECTION 4.02. This Act does not make an appropriation. A provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the

legislature has not made a specific appropriation to implement the provision.

SECTION 4.03. This Act takes effect September 1, 2009.